

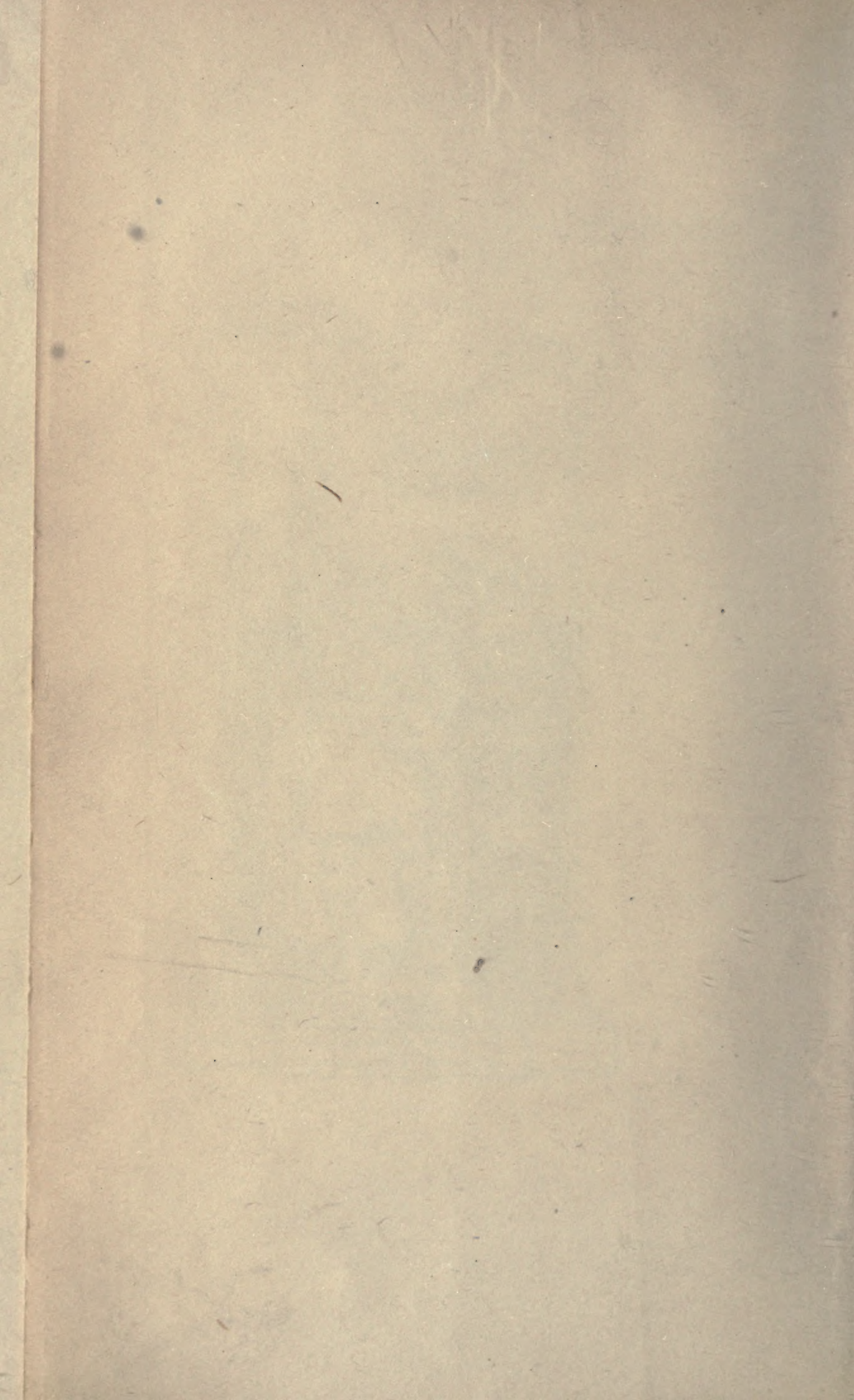


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REPORT
ON
MANUSCRIPTS
IN VARIOUS COLLECTIONS.

VOL. III. - IV

V. 1. - THE MANUSCRIPTS

OF

T. B. CLARKE-THORNHILL, ESQ..
SIR T. BARRETT-LENNARD, BART..
PELHAM R. PAPILLON, ESQ., AND
W. CLEVERLY ALEXANDER, ESQ.

V. 2. - The manuscripts of Bishop of Salisbury, etc.

Presented to Parliament by Command of His Majesty.



162290.

27.5.21.

LONDON:

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BY MACKIE & CO. LD.

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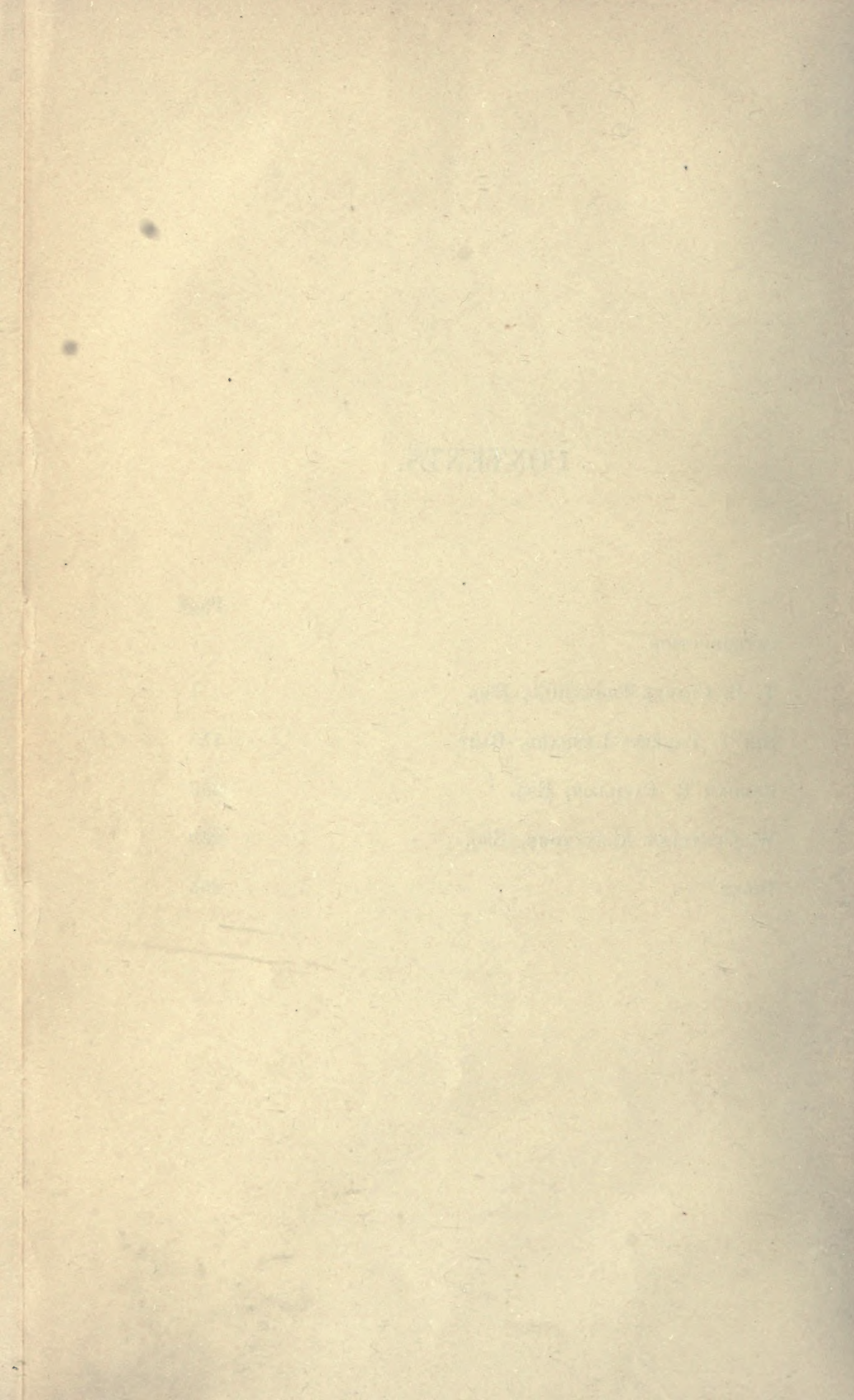
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CORRIGENDUM.

*p. lvii of Introduction, line 14 from bottom: for Report XI.
read Report XIII.*



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INTRODUCTION.

THE manuscripts of Mr. W. Clarke-Thornhill, of Rushton Hall, consist almost entirely of the correspondence and other papers of Sir Thomas Tresham, owner of Rushton in the reign of Queen Elizabeth. They were discovered in 1828, when (as stated in a memorandum written some few years later and placed amongst the papers), "in pulling down a very thick partition wall, in the passage leading from the Great Hall, the workmen came to a very large recess or closet, in the centre of it, in which was deposited an enormous bundle," containing the manuscripts and some theological books, "wrapped up in a large sheet." From the fact that the papers go on pretty steadily from 1576 to November, 1605, and then suddenly stop, and also that there are no later endorsements upon any of them, it is supposed that they were walled up in the alarm following the Gunpowder Plot and the arrest of Francis Tresham, eldest son of Sir Thomas, for complicity therein. Unfortunately there are no papers relating to the plot; perhaps there never were any; for Sir Thomas had died only a few weeks before, and there is not the slightest reason to believe that he knew of it, and every possible reason to believe that he would have disapproved of it.

But there is a great deal of information in the papers concerning the families intimately connected with the conspiracy; the Treshams, Vaux, Catesbies, Monteagles, &c. The documents have every appearance of having lain undisturbed in their hiding place for two hundred years, and they have been remarkably little injured by damp.

The most valuable aspect of the collection is the light which it throws upon the views of the loyal Roman Catholic party in the reign of Elizabeth and at the accession of James I. Of this party, Sir Thomas Tresham was one of the foremost leaders, and although repeatedly suffering fine and imprisonment on account of his recusancy, the "noble-hearted man," as Dr. S. R. Gardiner calls him, showed throughout a loyal love for his Queen and country, second only to his devotion to his religion and his church.

Sir Thomas Tresham came of an old Northamptonshire family, who were seated at Sywell. He alludes with pride to his ancestors on more than one occasion. Writing to Sir Christopher Hatton in 1583, he declares that he will defend the Queen against foreign invasions and home conspiracies, with as much zeal as any of his ancestors "did bear to her Highness' most worthy progenitors, under whom they were dignified with many noble offices and advancements, and lived in high prosperity; and at whose feet and in whose service sundry of them (even hundreds of years since) have faithfully ended their lives with honour in the field" (p. 27). He was, perhaps, thinking particularly of his great-great-grandfather, the first Sir Thomas, Comptroller of the Household to Henry VI, who after fighting at Towton and both battles of St. Albans, was taken by the victorious Yorkists at Tewkesbury and put to death.

In 1603, after a stormy interview with Sir Edward Montague concerning some lands, Sir Thomas wrote to his son: "I truly might, but respectively forebore to put him in mind that his father and his grandfather were beholding to my grandfather in the beginning of Queen Mary's time, more than I (I hope) shall be to him or his: his grandfather being a principal actor in King Edward's time for disinheriting Queen Mary, Queen Elizabeth and the Scottish title to the crown of England (and was in the Tower for the same), my said grandfather, the late Lord of Saint John's, Jerusalem, obtained of Queen Mary his dismissal thence in favourablest terms, and specially commended to her Majesty his son (this Sir Edward Montagew's father) for his readiness in serviceable affection to Queen Mary in the charge of this shire, then conducted by my grandfather on the behalf of Queen Mary, against the then proclaimed and invested Queen Jane" (p. 128). On another occasion, Sir Thomas did not so "respectively forbear," for in writing to Lord Spencer he declares, "To equal Tresames to Spencers I repute no disparagement to them I commend to your memory whether the Tresames or the family of your Spencers have been in this country of longest continuance, both in honourablest and worshipful calling; who in country and court, in peace and in war, within this realm and forth of this realm, more used or more commanding?" (p. 138).

The only relics of his ancestors amongst Sir Thomas Tresham's papers are two short, indented deeds, one on paper and one on parchment, concerning certain moneys, household effects and jewels delivered to Isabel Tresham, daughter of Lord Vaux, widow of William Tresham, Attorney General to Henry V, and mother of the Sir Thomas who fought in the wars of the Roses.

This Sir Thomas had a son John, who was father to Sir Thomas, Grand Prior of St. John, alluded to above. The last named had two sons, the elder of whom, John, married Eleanor, daughter of William Catesby, and died in his father's lifetime, leaving three children, Thomas, William and a daughter, Mary, who married William, Lord Vaux of Harrowden. The eldest son, Thomas, succeeded his grandfather in possession of the estates in 1558-9, being then fifteen years old. After his father's death, he is said to have been brought up as a Protestant, but was reconciled to the Roman Church in 1580. The only notices of him amongst these papers before that date are a letter of thanks on behalf of his younger brother William (p. 2), and a note in relation to the Market house at Rothwell, which will be mentioned later.

In August, 1581, a considerable sensation was created amongst the English Catholics* by the statement that Campion, the Jesuit, had given up the names of his friends and those who had entertained him at their houses. Amongst these names were those of Sir Thomas Tresham and his brother-in-law, Lord Vaux. Bewildered and dismayed, uncertain whether to believe the announcement of the Queen's ministers, the accused persons hardly knew how to act. Sir Thomas would appear to have been doubtful whether Campion had been to his house or no, and so refused to depose either way, upon which he was committed to the Fleet, as was also Lord Vaux.

Sir Thomas gives the date of this, his first committal, as Saturday, the 10th of August. This is a mistake, as the 10th, in 1581, was a Thursday. As his examination before the Privy Council was not until Friday, the 18th, it is probable that Saturday, the 19th, was the true date. (See *Acts of the Privy Council* under this date.)

* The term Catholic is used in its restricted sense of Roman Catholic, the sense in which it was generally employed in England in the 16th century.

Presently the idea gained ground that Campion, probably under torture, had really betrayed them, although the weight of evidence, as appeared afterwards, was strongly against his having done so.

Sir Thomas wrote on the subject to the Lords of the Council, and also separately to one of them (probably Leicester). He feared, he said, on the one hand, to be detected of perjury, on the other, to be suspected of secret and undutiful actions. He had kept house for sixteen years, whereto not only his friends and acquaintances, but also their friends and followers, had repaired, to the number of twenty, forty or even a hundred, many of whom he knew only "as it pleased themselves or friends to deliver their names" and others whose names he never asked at all, so that Mr. Campion might have been there, yet pass away unknown, especially as their Lordships said he confessed that he came disguised and only once had speech of Sir Thomas, and that twelve or fourteen years since; in which case to admit his having been to the house (when in truth he did not know him) were to haste himself to utter ruin; while on the other hand, if he declared Campion's confession false, "likely it is that again he will as falsely justify it," in which case even an indifferent jury, not believing that a priest would wrongfully accuse a fellow Catholic, would certainly declare Tresham a "false perjured caitiff" (pp. 16, 17). He called God to witness that he was guiltless of all disloyalty, and offered to depose to sundry articles which he gave, in order to prove the same. Incidentally he describes his imprisonment as "close, noisome and moist," without the liberty and favour given to brawlers, loose people and bankrupts.

From these Tresham papers we gather that the treatment of the recusant prisoners varied a good deal. Sometimes they dined together, and had each a bed chamber, though small and ill-furnished (pp. 19, 20, 25). At other times Sir Thomas was confined alone, and not allowed to see even his wife and daughters (p. 99). In one of his letters he speaks of his keeper often forgetting to bring him his dinner, though never unmindful to lock him up close (p. 85). Learned Protestant theologians now and again resorted to them for argument, of whom Dr. Lyly, Master of Balliol College, Oxford, seems to have pleased Sir Thomas best (p. 20).

After three months' imprisonment Tresham was tried in the Star Chamber. There is an account of the proceedings amongst these papers (p. 22), but as this has been already printed from another copy, it was unnecessary to do more than catalogue it here. At the end of the trial, Tresham was re-committed to the Fleet.

In February, 1582, there is the first mention of those family troubles which so sadly clouded Sir Thomas's life. His younger brother William, who had been introduced and kindly received at Court (p. 23), and had been made a Gentleman Pensioner by Vice-Chamberlain Hatton, suddenly left England without the Queen's permission. Her Majesty's indignation was only increased by a letter which he wrote to her, stating, firstly, that he absented himself in respect of the Earl of Leicester's anger against him, which she thought no sufficient reason for his undutifulness to herself; secondly, that he meant to return, which seemed to show that he had some other reason for his departure, and thirdly, that he was going to Rouen, a place which she "highly disliked of," and where it was feared he would not long continue "a good subject" (p. 25). His unfortunate brother was left, not only to bear the brunt of the Court's displeasure, but to answer William's debts, for which he stood bound (p. 23).

In January, 1582-3, Sir Thomas wrote to Hatton, earnestly praying for restoration to her Majesty's favour, he having paid all his fines and continued in captivity to the uttermost time adjudged by law, and all others confined for the same cause being now enlarged save Lord Vaux and himself (p. 27). Shortly afterwards, he was released, on bond not to come within four miles of London or to depart forth of such house as should be assigned to him, "without mentioning of liberty or circuit at all, and bound . . . to his good behaviour without exception of cases of religion or conscience whatsoever, which till now were ever granted to be exempted." Lady Tresham appealed to her aunt, the Countess of Bedford, whose husband had exerted himself for Tresham's release, to obtain some relaxation of these hard terms, which shut him out from both his own houses, at Tuthill, Westminster, and at Hoxton, or as it was then called, Hogsden. Sir Thomas's health, she wrote (or rather her husband wrote for her, for the draft is in his hand), was

grievously impaired by his two years of imprisonment, she had been long separated from him, and their little children had been deprived of a father's care; she therefore prayed that he might be allowed to remain at his own house at Hogsden, with the enjoyment of "a little orchard and less garden"; it being the next house to that in which he was at this time temporarily confined. This temporary prison appears to have been almost as bad as the Fleet could be; his chamber lying over a noisome kitchen and made almost unbearable by "noise, smoke, heat, loathsome savours and . . . ungodly, lascivious and blasphemous speeches" (p. 29).

The petition was so far successful that Sir Thomas was allowed to remain at Hogsden, living there with his family on bond "not to depart forth of the precincts of Hogsden and Shoreditch," although it appears that he was not in his own house, but in a cottage "erst a tippling house," which he had rented for a time. In the autumn he had to leave this cottage, and earnestly pleaded that he might be allowed to go to his house in Westminster, which was "further distant from London" than Hogsden, and the "liberty" no larger than Hogsden and Shoreditch parish (p. 32). Whether this was granted does not appear; probably not, as in spite of its being so "distant from London," Westminster was much more in the world than Hogsden. At this point there is a considerable gap in the correspondence.

Sir Thomas Tresham (as also Lord Vaux and other noted recusants) continued to enjoy a limited freedom until the reports of the great Spanish preparations reached England in 1587, when, as Sir Thomas states, although her Majesty was fully convinced of their loyalty and true English hearts, yet, "alonely to frustrate the enemy's expectation of finding any succour" from them, it was thought policy to shut them up. They earnestly implored to be employed against the enemy, but were told that their confinement would more avail than the help of their hands (p. 53). At the end of Michaelmas term, therefore, they were committed to the charge of the clergy, Sir Thomas Tresham being sent to the Bishop of Lincoln at Buckden.

They remained in episcopal custody for seven months, but in the following July, "the enemy's powerful navy

then under sail," were all removed to the Bishop's Palace at Ely for greater security (p. 53). The Bishopric at that time was void, and the prisoners were under the care of Richard Arkininstall. Among the *Acts of the Privy Council* is the letter sent to Arkininstall (dated July 19), desiring him to furnish them with the same diet which they had had in the Fleet prison, and on the same terms; and also, seeing that the Palace was greatly decayed, giving orders for needful glazing and reparations in the chambers to be occupied by the recusants, and for the "muring out" of the broken places in the surrounding walls. Sir Thomas relates that, the very day after they reached Ely, and were placed "in close prisoners' wise" there, the musters of the Isle were taken upon the green before the Palace gate, and there "in martial wise oft trained" under the prison windows and in full view of those who would fain have helped to defend their Queen and country (p. 53). This would seem to show that the recusants were then (as they certainly were at a later date), allowed to use the great gallery built by Bishop Goodrich, the windows of which overlook the Palace Green. On their arrival, the Lord Lieutenant of the county (Lord North) came up into the gallery amongst them, and "honourably discoursed" to them of the reason of their commitment; exhorting them to a demeanour befitting those turbulent times, and informing them of the measures which were being taken to resist the enemy. They once more, as formerly to the Archbishop, importunately prayed to be allowed to go against the enemy, even if they were placed unarmed in the forefront of the battle; and had some hopes, from his Lordship's answer, that they might gain the longed-for permission; but just then came stormy news of the Armada's approach, bringing with it increased suspicion of the Catholics; in the Isle of Ely there were even whispered threats of putting them to death if the enemy should land (p. 54).

After the repulse of the Spaniards, the feeling against the recusants continued to run high, but in October the Privy Council sent orders that upon signing a protestation of their allegiance, and giving bond for their appearance when called upon, they were to be released. A special letter was written concerning Sir Thomas Tresham, who had "fallen into some sickness through his restraint of liberty" (*Acts of the Privy Council*, 1588, p. 362). He repaired to Lambeth (p. 49), gave bond to the

Archbishop of Canterbury, and was his own master for the first time after more than seven years of restraint. In after times he spoke of this as his first term of service for his "beloved Rachel."

All through this time of imprisonment he had been paying the twenty pounds *per mensem* fine for recusancy, and apparently other fines as well, for he speaks shortly afterwards of having paid her Majesty two thousand, eight hundred pounds and more within the last eight years, besides contributing to the service and defence of the State, for which he would willingly and joyfully give as much of his lands as her Majesty chose to take (p. 46).

His liberty, even now, was granted with limitations, for he was evidently not allowed to take up his abode at Rushton, a special permission from the Council being necessary to enable him to go down for a short time into Northamptonshire to look after his estates (*Acts of the Privy Council*, 1588-9, p. 410).

And his freedom was of short duration. In March, 1589-90, upon a renewed alarm of Spanish invasion, the recusants were once more ordered into custody, some at Ely, some at Banbury Castle, and some at Mr. Fiennes' house at Broughton, near Banbury. Sir Thomas was amongst those allotted to Ely, and although he made an attempt, through his wife, to have his place of confinement changed to Mr. Fiennes' house, on account of the bad air of the "filthy and fennish country," it was not successful. On the eve of starting for Ely he wrote a long and dignified letter to Archbishop Whitgift (p. 51) on behalf of himself and his fellow Catholics, declaring their loyalty and protesting against their imprisonment, by which they were held up to shame as "world's wonders," unworthy to be partakers in the defence and the victories of their country; although otherwise they would willingly go without band or conduct to their prisons, nay, would be ready to run there to offer up their lives if thereby they might avert danger from their Queen and country. Finally, as this infamy was without cause, so would this "quotidian kind of imprisonment" be without end, seeing that there was no likelihood of unity between England and Spain. The Spaniards, he wrote, have taken our ships, put our men to the galleys, and by their navy attempted hostile revenge upon this land. And we have distressed his (*sic*) treasure, by force entered his havens, made incursions into Spain, and with an English army, in summer last, invaded his late obtained Kingdom of

Portugal in order to assist Don Antonio. What likelihood then is there of accord? (p. 57).^{*} It is in this letter that Sir Thomas gives the interesting details of his former imprisonment at Ely, quoted above. It was written on March 25, "scribbled in scanty time of hasty departure unto Ely prison," where the recusants were to surrender on the 26th. A letter of orders from the Privy Council to Arkin-stall gives us a glimpse of the circumstances of their imprisonment. Each knight or principal gentleman was to be allowed to have two of his own servants to wait upon him; they were to be lodged in convenient rooms and treated with all courtesy, but not allowed any intercourse with strangers save in their keeper's presence. They were to furnish their own bedding, and to have "the diet that is set down in the Fleet," but if they wished for anything more, they might compound for the same. They were permitted to converse during meals and at other fitting times, so long as they forbore all speeches unfit for good subjects; also to walk together in places not open to the town of Ely. Watchmen of the town were to keep guard round the Palace, and every night the prisoners were to be shut up in their own chambers (*Acts of the Privy Council*, 1589-90, p. 416).

There is no note of what the exact charges for their diet were in 1590; but in 1596, when the price of provisions was somewhat higher, they were to pay at the rate (probably *per mensem*) of 26s. 4d. for a knight, 20s. for an esquire, 13s. 4d. for a gentleman and 6s. 8d. for a servant.

Tresham's actual incarceration did not last long. His presence in London was necessary for the arrangement of Lord Vaux's entangled affairs, then under consideration of Parliament, and he appears to have left Ely in April (p. 59), and to have been allowed to live at Hogsden, with permission to repair to the Judges and learned counsel or elsewhere, as needful. His stay in town was lengthened by repeated orders of the Privy Council (see *Acts* for that year), and he was still there when, in October, the order was given for all the prisoners in Ely and Banbury to be liberated on bond, probably because the summer season had passed and attempts by the Spaniard were no longer feared for that year.

* The letter is too much injured by damp for verbatim quotation.

In the summer of 1591 he was engaged in one of his many struggles to get back money which he had lent. A certain George Baull, who had had many "rich pennyworths" of Tresham's cattle, and owed him some hundreds of pounds, became bankrupt in what Sir Thomas considered a fraudulent manner. Learning that he had "money bags and wealth," Sir Thomas sent his eldest son to demand the debt, who, according to Baull's petition to the Council, took with him about fifteen others, broke open doors and chests, seized money and writings, threw Baull's daughter downstairs, and carried him off prisoner to Rushton (p. 61). The Privy Council sent orders to Sir Edward Montague and others to make inquiries and to arrange a composition for Sir Thomas's debt, the upshot being that Francis Tresham was sent to the Fleet for three months. It does not appear that Sir Thomas was blamed in the matter.

In 1592, a marriage was arranged between Francis Tresham and Anne, eldest daughter of Sir John Tufton, of Kent. There are two letters from Sir Thomas to her grandmother on the subject (pp. 63, 78) and a long love-letter, written in very stilted style, from Francis to the lady herself (p. 62).

Early in 1592-3, the principal recusants were again ordered into custody. Apparently it was intended to send Sir Thomas Tresham back to Ely, but he does not seem to have left Hoxton when "ten days before the end of this last parliament," that is on April 1st, he was set at liberty, by means, as was believed, of the Earl of Essex, whom his son Francis had followed of late (see *Cal. S.P. Dom. Eliz.*, under date April 7, 1593), on giving bond to surrender himself at Ely at the end of three months. Meanwhile he was allowed to return to Rushton. Lady Tresham wrote to his friends, begging them not to meet him on the way, or to resort to him there, as he was to avoid concourse of friends, and meant neither to visit nor to be visited (p. 74). Thus, after twelve years' absence (p. 75) he returned to his home.*

In March of this year, Parliament passed the "Statute of Confinement," by which recusants were forbidden to go more than five miles from their dwellings, save by licence of the Bishop of the diocese and of two Justices of Peace for the county.

* He had been allowed, once or twice, to go down on business, but never to remain there.

Soon after reaching Rushton, Sir Thomas was needed in town on urgent business, but although he had no difficulty in getting a licence signed by Lord Mordaunt and Mr. Watson of Rockingham, the Bishop of Peterborough, upon some technical grounds, refused his signature, and was only persuaded to give it by the mediation of Lord Keeper Puckering. Sir Thomas' former custodian, the Bishop of Lincoln, was evidently more friendly than his brother prelate, for Tresham wrote confidentially to him on the subject, thanking him for his kind letters and expressions of sympathy (pp. 74, 76). Some time in June he returned home, and then found himself on the horns of a dilemma. "I am this morning certified," he wrote to one of his servants on the 28th, "that if I repair not to Ely before the last of this month I forfeit a recognizance of 2,000*l.* to her Majesty. Even so, should I repair hence thither without licence from the Bishop and two of the Justices of the Peace, I should fall into the danger of the new statute, which confineth me to five miles resiancy about my house." He arranged as best he could, sending in hot haste to Sir Edw. Montague and Mr. Watson for a licence, which was then hurried off for the Bishop to sign and seal. This was safely accomplished, but at the last moment a respite came. Lady Vaux sent down a messenger to say that she had gained two months' further time, and was, moreover, procuring a warrant for his enlargement, which the Privy Council had already passed under their hand to the Archbishop (p. 77). The Privy Council order for his liberty is dated July 2. For a few months he was free, and during this time his son Francis's marriage appears to have taken place (p. 78). In February, 1594, he was once more apprehended and sent to his old prison, the Fleet, where he was treated with much more rigour than before, not being allowed any servant to attend him, or to see his wife and children, even in the warder's presence (p. 99). This strict confinement lasted until July, when he was released on bond and allowed to return to Rushton (p. 80).

During this time a fresh cloud appeared on his horizon. For many years he had been the mainstay of his family in all business matters, knowing probably much more about Lord Vaux' affairs than did that easy-going nobleman himself. Amongst other good offices he had accepted the trusteeship for the three daughters of Lord Vaux and his first wife. This first wife was Elizabeth

Beaumont, daughter of Justice Beaumont, Master of the Rolls, and by her Lord Vaux had one son, Henry, and three daughters, Elinor or Alianore, Elizabeth and Anne. After her death, Lord Vaux married Sir Thomas Tresham's sister Mary, who bore him five children, George, Edward (who died young), Ambrose, Muriel and Katherine.

The two daughters assigned to Lord Vaux and his second wife in the *Dictionary of National Biography*—Mary and Katherine, married respectively to Sir G. Simeon and Lord Abergavenny—were Lord Vaux's granddaughters, the daughters of his son George. His daughter Katherine appears to have died unmarried.

The eldest son, Henry, was desirous to enter the religious life, and absolutely refused to marry, preferring rather to resign his birthright to his half-brother George, that his father might enjoy the customary benefits from the marriage of the heir (pp. 28, 70, 101). Henry's sisters, Elinor and Anne, were very angry, and accused Sir Thomas Tresham, who doubtless felt great sympathy with the young man's religious aspirations, of having persuaded him to the step, in order to secure the heirship for his own sister's son (p. 102).

The new heir, George, frustrated his father's intentions by marrying, without his consent and apparently without his knowledge, one of the daughters of Sir John Roper of Kent, by which means he not only deprived his father of the large sum which he had hoped for on marrying his heir (p. 101) but brought a new element of discord into the family. The lady and her father obtained entire ascendancy over the young husband, and all three pressed their demands on the unfortunate Lord Vaux, then, as generally, at his wits' end to find money to support his family and stave off his creditors (pp. 67, 68, 101). By marrying without his parents' consent, George Vaux, according to the arrangement made, had forfeited the heirship to his brother Ambrose, but they, believing him to be penitent, chose to sell some of their lands, rather than, "by marrying Ambrose," to disinherit their elder son and his child (p. 70). To this Ambrose agreed, being almost as much under his sister-in-law's influence as her husband was (p. 71).

At the time of his sister's marriage to Lord Vaux, Sir Thomas Tresham became trustee of a sum of 1,500*l.*, to be received by him in annual instalments. This sum he was to hold for the three daughters of Lord Vaux by his first wife, paying to each her share either upon marriage or at their father's death (pp. 79, 99). But the money was paid to Sir Thomas very irregularly, and some of it he never received at all. The eldest sister, Elinor—who married a Mr. Brookesby* and was early left a widow, with several children—received her share upon her marriage. The second, Elizabeth, became a nun, and her sisters loudly declared that this was Sir Thomas Tresham's doing, and that he had "married her to a monastery, instead of a man," in order to avoid paying her marriage portion (pp. 87, 100).

The third daughter, Anne (well-known a few years later as the friend of Father Garnet), was reported a "zealous and virtuous Christian maiden, renouncing the world to live a Christian, virgin life." But she was by no means willing to renounce her share of the money, and in 1594, during Tresham's imprisonment in the Fleet, brought an action for its recovery, "when the money was not hers but upon a contingency of her marrying or else surviving her father." She obtained an order in Chancery to which Tresham submitted, only stipulating that he might be protected from any claim on the part of Lord Vaux, for, as he observed, it were contrary to all good conscience to pay it twice, especially as he had never received it. The Chancery order contained the proviso that Anne Vaux was to go herself to Sir Thomas, acknowledge his kindness to her, and pray his "furtherance" in helping her to her money. She tried to avoid this humiliation, sending her lawyers to say that it was unseemly for a lord's daughter to make petition to a knight, but Sir Thos. Egerton, Master of the Rolls—then sitting in the Chancery Court, in the absence of the Lord Keeper—bluntly replied that if she was so stomachful as to refuse to do it, he should not wish Sir Thomas to pay the money at all (pp. 85, 100).

This was in November, 1594, when Sir Thomas was once more at liberty. Meanwhile his nephew, George Vaux, had died, and the widow was making herself extremely troublesome. Lord Vaux was in ill-health, weak in body and perhaps also

* In the *Dictionary*, Elizabeth is said to have become Mrs. Brookesby, but this is a mistake.

weak in mind (pp. 80, 100), and Sir Thomas was the only person who could cope with her. Indeed, all the members of his family seem to have turned to him for help at one time or another. "My greatest adversaries," he wrote to his wife, "rely much of my good nature, that, when they have wrought me the most spite they possibly can, yet make bold to employ me to stead them. They term me a 'Machivelian,' but they seem to trust me as reformedst Christian" (p. 85).

During the next two or three years, Sir Thomas was allowed to remain quietly with his family, carrying on his building operations and looking after his family affairs. His eldest son, as has been said, was married, and so were his two eldest daughters, Frances to Lord Stourton and Elizabeth to Lord Monteaagle, while matches for the younger ones were more or less under consideration. "Having many daughters, and being a great housekeeper," Fuller says of him, "he matched most of them into honourable, the rest into worshipful and wealthy families" (*Worthies of England*, p. 300).

The second son, Lewis, was a boy at home, and in 1596 his father sent him from town a copy of Comines' *Memoirs* (then newly translated into English), as a book "worthy of reading and observing." He urged his steward to see that Lewis, in reading that and other histories, had "recourse to his cosmographical maps" for the better understanding what he read; also that he should study Lyly and Camden, and learn to be "ready" in Clavius' arithmetic (p. 90). We do not need this mention of Lyly to prove that he was a favourite with Sir Thomas, whose own language is euphuistic to a fantastic degree.

A little later, Lewis was entered at the Inner Temple, and there had a quarrel with one of his fellows which led to serious results. He wrote a long account of it to his father (pp. 93-6) and it is noticed in the Inner Temple Records.* Young Tresham's own version was that he was set upon and disarmed on some frivolous pretext by his adversary, John Farwell, who boasted loudly of his exploit, and carefully prevented Lewis from retaliating by never stirring abroad alone; whereupon Tresham "was enforced to beat him with a cudgel as he sat at dinner,

* The Temple Records do not give young Tresham's Christian name, and the Editor speaks of him as afterwards implicated in the Gunpowder Plot. Lewis had nothing to do with the Plot, except that he was examined about his brother Francis's proceedings.

which was well liked of all the House but the Bench" (p. 95). The Bench, however, was so far from well-liking it that Lewis Tresham was imprisoned for more than twelve months, and put out of commons for three years (see *Cal. Inner Temple Records* i. 428, 431, 445). His opponent, John Farwell or Farewell, was also put out of commons for awhile, but no mention is made of his quarrel with Tresham, it being distinctly stated that it was for wearing long hair (*Ibid.* p. 432).

Towards the end of 1596 there was again serious alarm aroused by the preparations of Spain, and at the beginning of November Lord Burghley advised, amongst other measures of defence, that all the principal recusants should be once more committed (*Cal. S.P. Dom. Eliz.* 1595-7, p. 303). In December, Sir Thomas found himself back in his "familiar prison" at Ely. It was during this imprisonment that he wrote certain very interesting notes, giving the key to the train of thought which led to the building of the Triangular Lodge at Rushton. Mr. J. Taylor mentions this in the preface to his short Catalogue of the Rushton Papers, but has not caught the meaning of the document itself, which he notes only as "Some mystical notes of Sir T. T. on the Trinity, with a ridiculous account of a miracle that happened to him." Sir Thomas Tresham's draft memoranda are so very badly written, and so scattered on odd scraps of paper, the backs of old letters &c., that it is often only after careful investigation that they can be made to yield up their contents.

The document in question is headed by Sir Thomas, "Eely 15 Julii, 1597, Memorandums concerning two pieces of painted work at Eely in part of the gallery chamber window there" (p. 91). He relates that on returning for the third time to Ely, he found that his fellow-prisoners had been engaged in decorating the walls of their chambers with painted work; and made up his mind to do the same. He selected the "gallery chamber window west towards the orchard," which he describes as having wide splays, the top of the lintelling "somewhat circular but very little," and with a broad space of stone above the window, but within the arch. Lady Alwyne Compton, in very courteous response to enquiries, has identified this window beyond dispute as that at the west end of Bishop Goodrich's gallery, where it still looks down on an enclosure containing a few ancient nut-trees, the relics of the old orchard.

In the decoration of this window, Sir Thomas Tresham gave free play to his religious enthusiasm, love of symbolism and artistic fancy. Taking warning by the fact that when his fellow prisoners had depicted the crucifix, it had been carefully washed out, he avoided, as he states, anything which might give offence to his Protestant gaolers, and contented himself with the emblems common to Christianity. Many sheets of paper are covered with descriptions of devices, ornamentation and texts; the holy emblems and monograms being mixed up with the arms of himself, his wife, and other families allied to them. But most frequently of all occurs his favourite triangle, at once a sort of play upon his own name and a symbol of the Trinity. He also speaks of making some additions (touching the Holy Trinity, the Passion of our Saviour, "in laud of his Blessed Mother," and concerning the resurrection of the dead) to a device by "reverend bysshop Allcockkes," upon the Nativity of Christ. The additions "in laud of the Blessed Mother" would hardly have escaped being washed out, one would imagine, but that they were probably monograms, or (a very common device with Sir Thomas) texts represented only by the first letters of the words. The name of St. Etheldreda, founder of Ely monastery, occurs repeatedly in the notes, but the words "*uxor et virgo, regina et sancta, beata Etheldreda, ora pro me miserrimo peccatori, Thoma Tresame*" were, no doubt, treated in the same manner. Amongst the texts, &c., to be inscribed at length in the borders, however, is "*Regina cœli letare alleluia*," and it is difficult to believe that this would be allowed to pass uncensored. The many curious combinations of letters and figures employed are chiefly interesting as throwing some light on the same kind of devices upon Sir Thomas Tresham's buildings, and are therefore noticed under that head, below.

In speaking of his favourite number of 25, "the quadrate number of Jesus as of Maria," Sir Thomas draws attention to the fact that "this present 25 Martii, 1597, the day of passion and incarnation were both of that day, I mean Good Friday upon the Annunciation Day." But in spite of the old distich which said, "When our Lord falls in our Lady's lap, Then England will meet some great mishap," the year 1597 was not a disastrous one for this country.

Sir Thomas ends the long document (or rather documents, for the notes were found separated and in different bundles of papers) by the explanation already alluded to :—

“Lastly, if it be demanded why I labour so much in the Trinity and Passion of Christ to depaint in this Chamber, this is one principal instance thereof. That at my last being hither committed, and I usually having my servants (here allowed me) to read nightly an hour to me after supper, it fortun'd that Fulcis, my then servant, reading in the ‘Christian Resolution,’ in the treatise of proof that there is a God, &c., there was, upon a wainscot table at that instant three loud knocks (as if it had been with an iron hammer) given, to the great amazing of me and my two servants Fulcis and Hilkton.”

This incident no doubt greatly strengthened that peculiar interest in the doctrine of the Trinity which was probably first aroused by his own name in the mind of one whose fondness for play upon words is remarkable, even for that euphuistic time.

There is no allusion to the Triangular Lodge in these notes, but during his imprisonment Sir Thomas was busily engaged in his building operations, writing directions concerning them to two of his principal servants, George Levens, his steward at Rushton, and John Slynne, his keeper at Lyveden (p. 93). Levens' account books for this period contain many items concerning them, which will be alluded to again.

In this summer of 1597, Tresham's sister, Lady Vaux, died, her husband having predeceased her in 1595. Lady Tresham's account of Lady Vaux's illness (in her Ladyship's own very curious spelling) will be found on p. 92. The bearer, she wrote to her husband, would tell him of the weak estate of their best-beloved sister ; but if remedies would serve, “both for honesty and skill” she made no doubt she would have them. Sir Thomas believed that his sister's end had been hastened by her distress at the conduct of her daughter Muriel (p. 98). This young lady, Lord Vaux's eldest daughter by his second wife, and Lady Tresham's godchild, had been formally betrothed to one Mr. Lovell, a “worshipful match” ; but had broken her troth, and secretly married George Fulshurst or “Fulcis,” the servant mentioned above, and married him moreover in Sir Thomas Tresham's house, thereby raising an outcry, as

Sir Thomas indignantly wrote, that he was a confederate, and meant to share her marriage portion with that "arrant varlet" of his. The culprits, far from being penitent, were defiant, and, when Sir Thomas had paid them 1,200*l.* of the lady's money, swore that they had not had a penny, so that, had he not chanced to get hold of Fulshurst's account books, in which the sums were entered, the money might have had to be paid over again. Sir Thomas, as Muriel Vaux's trustee, insisted on keeping certain sums in his hands, for her and her children, in case Fulshurst should die or abandon her, "as he lawfully may do by reason of the afore-mentioned formal pre-contract with Mr. Lovell." The angry couple managed to obtain a decree from the Lord Keeper, but Sir Thomas declared that they had procured it "by wicked and damnable perjuries," and refusing to pay, was, in 1599, once more committed to the Fleet. This imprisonment distressed Sir Thomas more than any of his former ones. To suffer for his faith was an easy thing, bringing its own consolations with it; and he was infinitely just to and patient with those who were only carrying out the laws of the realm; but when his own family, members of his own Church, so repeatedly attacked him, he could only pray for patience "to endure so intolerable a cross" (pp. 97, 98).

Throughout the summer of 1599, during the "contagious, hot and dangerous season of the year," Tresham remained close prisoner, confined to one chamber, with no place for his servant within the prison (p. 103), and so straitly kept that even his wife and daughter, coming up from the country, were denied access to him (p. 104). Rightly or wrongly, Lord Keeper Egerton supported Fulshurst's claim, and it was even rumoured that he "should say" in the Court of Chancery that Sir Thomas Tresham was a bad man every way and deserved no favour (p. 105). Sir Thomas was allowed to go down to Rushton in the autumn for awhile to raise the needful money, which he did by "sale of parcels of great worth at easy pennyworths," but was back again in the Fleet in October. After this, an agreement was come to with the Fulshursts, and early in 1600 Sir Thomas was released from what proved to be his last imprisonment.

He was, however, shortly involved in fresh anxieties by the conduct of his eldest son, who was implicated in the Earl of Essex's abortive rising in 1601.

It will be remembered that when certain Lords of the Council were sent to the Earl, he decoyed them into a chamber and locked them up. Lord Keeper Egerton and Lord Chief Justice Popham afterwards certified that Francis Tresham was one of those who kept guard at the door (see *Cal. S.P. Dom.*, under date Feb. 19, 1600-1), and this, no doubt, is the "vehement information" against him mentioned in these papers (p. 108).

On Feb. 27, Sir Thomas Tresham gave bonds for payment of 1,000*l.* "having a secret reference of a matter to be performed by a third party not expressed in them," the money only to be paid if the service were done. A letter on p. 108 shows that the money was meant either for, or to be used by, Lady Katherine Howard, afterwards Countess of Suffolk, who had promised to exert her influence on Francis Tresham's behalf. Lady Katherine told his friends that she saw no chance of preventing his arraignment, but believed that she would be able to save his life by procuring a reprieve after judgment (p. 108). She proved better than her word, however, and almost at the last moment sent the good news that he was not to be tried at all. In the meantime, young Tresham's wife and his sister, Lady Monteagle (whose own husband was not free from suspicion of complicity in the plot), fearing that Lady Katherine's efforts would be unavailing, had been negotiating in another quarter, with money obtained from their uncle Throckmorton, and there was some recrimination afterwards as to who had really been the means of his escape. Lady Katherine declared that it was entirely her own work, and desired to be "well dealt withal." The family rather leaned towards the other party, but who this was, or how the matter was settled, is not revealed. There had been a long struggle in the Council Room over Francis Tresham's case, and it was only at eleven o'clock at night on the eve of the day when he should have taken his place with Sir John Davies, Sir Gelly Merrick and others at the bar, that his friends prevailed (pp. 109, 110). The State Papers give the amount of Francis Tresham's fine as 3,000 marks, and Sir Thomas speaks of having to pay 2,000*l.* for him, but this did not include the 1,000*l.* mentioned above. Francis does not seem to have been a very satisfactory son, apart from his fondness for conspiracies. There is, amongst these papers, an undated letter to him from George Levens, the steward, showing plainly that he had been

trying to persuade Levens to falsify his accounts, in order to conceal from Sir Thomas the details of some transactions in which he (Francis) had been engaged. The steward objected, as being prejudicial to the trust reposed in him by his master, and also because the truth would be sure to "come out," but consented to make certain alterations which he persuaded himself were "in some sort justifiable" (p. 150).

In 1601, Sir Thomas was negotiating a marriage for his second son, Lewis, with a half-Spanish girl, Mary Recalde, the daughter of Mrs. Alderman More by her first husband, Alonzo de Recalde (pp. 112, 133). They were married in 1602. Lewis Tresham succeeded to the family estates on the death of his brother Francis in December, 1605, and was made a baronet by James I. There is little to note concerning Sir Thomas Tresham's life in the next year or two, except that some of his horses were carried off by horse-stealers into Northumberland, from which wild district, where "pistols not seldom are more in request than process," they were rescued by the help of Dr. Toby Matthew, Bishop of Durham (p. 115). Throughout this time he was confined to the five miles limit by the Statute of Confinement, and in Jan. 1603, wishing to go up to town, had to procure a licence signed by the Bishop and two Justices of the Peace. He was, however, himself a Justice of Peace for his county, and as such proclaimed King James at Northampton, as his grandfather had proclaimed Queen Mary, nearly fifty years before.

The Catholics in England were steady supporters of James I.'s succession, having always believed (though they had not for the most part dared to say) that his mother's claim to the throne was better than that of Elizabeth. Also, they had good reason to hope for better treatment at his hands. A paper in Sir Thomas Tresham's hand shows their attitude at this time. They entirely realized that Elizabeth had been forced by circumstances, whether she wished it or not, into the hands of the Anglican party. The Papal declaration against the legality of her mother's marriage, the very doubtful force (as the Catholics believed) of the Acts of Parliament passed to legitimize her, and the almost certainty that if she had accepted the Catholic position and submitted her claim to the Pope, his Holiness would have given sentence against her and in favour of Mary Stuart, were reasons palpable

enough. But her successor came to the throne with his hands free; leniency to the Catholics would not endanger his claim to the Crown; and they could hardly believe that the son of Mary Stuart would not be at any rate tenderly disposed to those of his mother's faith.

So with a willing heart Sir Thomas set out to proclaim King James; his only anxiety being that there was some difficulty in making sure of the fact of the Queen's death, which on March 24 was reported but not confirmed, and which had been falsely reported once or twice before; for if she were not dead, the proclaiming of the King "had been high treason." As he approached Northampton from the Stratford side, he met great numbers of people coming away from the Lady Day fair there, who informed him that the town was in a state of tumult and that no fair was to be kept (p. 119. And see *Records of the Borough of Northampton*, ii, 189). At the South Gate, Sir Thomas was stopped by the guards, and only with great difficulty forced his way into the town. Having proclaimed the King at the Gate and within the town, he reached the Mayor's house, where he found Sir Robert Spencer and many of his friends assembled. Here he again proclaimed the King; and when he said "Let us pray to God to prosper him," a "peevish and spleenish" party, one Mr. Cattelyne (vicar of the church of All Saints), added "Let us pray that the King prove sound in religion." After some sparring between the papist knight and the puritan vicar, Sir Thomas urged that the King should be at once proclaimed at the Market Cross, while the rest of those present wished to wait for more certain news from town; but at this point the manuscript ends, and we do not learn which party had its way.

Upon James' accession, Sir Thomas Tresham's brother William, who had vainly attempted to procure a recall from the Queen's ministers (See *Cal. S.P. Dom.*, 1598-1601), returned to England. A letter of his amongst the State Papers (*Ibid.* p. 328) in which he uses the word "parents" in its French sense, curiously confirms the statement of his old servant that his speech was much changed and that he talked as if in the French tongue (p. 123).

In July, 1603, the King's proclamation for the taking up of knighthood by all worth 40*l.* a year was sent down into Northamptonshire. Sir Thomas Tresham strongly objected to

it, and said that if the like were done in other shires, it would be a world's wonder. Some four hundred were to appear from Northamptonshire alone "upon this knighting process, whereof some landless, many base and dosser-headed clowns, and not one among forty worthy of that degree" (p. 125).

The last glimpse we get of Sir Thomas Tresham is in July, 1605, when he wrote to Levinus Monck, Lord Salisbury's secretary, to ask whether he might, without offence, withdraw from the [Rockingham] forest commission, on which he had been serving as a member. The State Papers reveal the fact that a good deal of ill-feeling had been shown to him (on account of his being a Papist) in connexion with this matter, and Levinus Monck replied that it would not be at all ill taken at Court if he forbore it, and that, for his own part, he counselled Sir Thomas to do so, rather than give any occasion for offence in the country (p. 149). Sir Thomas Tresham died only a few weeks after this, on September 11, 1605, at Rushton.

It has been already remarked that there are no documents amongst these papers having direct relation to the Powder Plot, but there are two or three faint shadows thrown before of the coming event. In an undated letter to his father, Francis Tresham speaks of Sir Thomas' promise to Lord Monteagle and his wife to allow them the tenancy of the Hogsden house (where Lord Monteagle afterwards received the warning letter); and on the eve of Whitsun Day, 1605, in relation to some money matters, the same writer mentions that he has just been with his cousin Catesby, who told him that their cousin Winter was in the country, but that he was sending down to him "about other matters," and would settle Tresham's business at the same time (pp. 147, 148). At this time, the conspirators, of whom, it will be remembered, Catesby and Winter were two of the chief, had arranged their scheme, and separated to avoid suspicion; but before dispersing, authority was given to Catesby and two others to enlist some others, "fit and willing for the business," in order to procure more money, especially for the purchase of horses, in case flight were necessary. Catesby called in Sir Everard Digby and Francis Tresham, who, as Winter declared, promised respectively fifteen hundred and two thousand pounds. Tresham stated in his examination that he never heard anything of the plot until October, which is probably true, as before his father's death he

was not in a position to be of much use. He also declared that from the first moment that Catesby mentioned it, he opposed it violently; that he never aided it in any way whatever, that neither his "hand, purse or head" was in the acting or contriving of it; that he only kept silence in it to deliver himself from the "infamous brand of an informer," and that his one object from the time of hearing of it was to overthrow the action, to save their lives, and to preserve his own fortune, life and reputation; his plan being to persuade them to have a ship ready by which they might all easily escape from the kingdom. (*See Gunpowder Plot Book, No. 152.*)

It will be seen that all this fits in remarkably well with the theory that Francis Tresham sent the letter to Monteagle, for, as Mr. Jardine observes, if the conspirators had at once taken the alarm and fled beyond the seas, every part of the object of the letter would have been attained. (*Jardine's Gunpowder Plot, p. 41.*)

It is not possible to identify certainly the handwriting of the warning letter with that of Francis Tresham, or indeed of anybody, as it is written in a sort of printed hand; but both Tresham and his servant Vavasor wrote small neat hands, not unlike printing in their style. The hand which really does bear considerable resemblance to that of the letter is Lewis Tresham's, but there is no reason to believe that he knew of the conspiracy.

Two subjects have been left for separate consideration; viz. Sir Thomas Tresham's relations with his fellow Catholics, and his building operations.

He may be said to have been the head—he certainly was the spokesman—of the loyal Catholic party in England (see p. 97), and as such incurred the anger of the opposite party in his church, who styled him an atheist and a Macchiavellian, on account of his fidelity to the Queen and government. Two or three things probably combined to produce this attitude on his part. It does not appear that he thought Elizabeth's claim to the throne a good one; the paper in his handwriting, alluded to already, goes far to prove that he held Mary of Scotland's right to be better than her cousin's. But he had been brought up in the English church, and no doubt in an atmosphere of ardent loyalty to the young Queen who had relieved that Church from persecution; he was intimate with Elizabeth's chief ministers,

and probably felt that the country was safer in their hands than in those of the strangers who would have surrounded Mary Stuart's throne. Above all, he was a true Englishman, with a long line of loyal ancestors behind him, and he looked upon the Queen not so much as an opposer or oppressor of his faith—into that position he saw that she had been forced, perhaps even against her will—but rather as the defender of England against foreign foes, and especially against the Spaniard, whom he hated as much as any Protestant in the land could do.

None the less, he was a staunch upholder of the doctrine and observances of his Church, and, as has been seen, suffered heavily in consequence. His "triple prenticeship of one and twenty years in direst adversity," grievously impoverished his estate; yet he was willing to "serve a like long prenticeship" again rather than forgo his "beloved, beautiful and graceful Rachel" (pp. 124, 125).

In addition to his frequent imprisonments and almost continual limitations of liberty, he was called upon to pay, year after year, (and did so without complaint) the heavy recusancy fines of twenty pounds a month, exacted from the principal Catholic gentry of the realm. But though he did not murmur, he did his best to secure relief for himself and his fellow-sufferers. He was foremost in all attempts to obtain greater privileges from the Crown, and probably himself drew up most of the appeals made; copies or drafts of which, in his own handwriting, are amongst his papers. Some of these have already been printed in the New Series of the *Rambler*, or as pamphlets. Those which are as yet unprinted are given here, either in substance or *in extenso*, the editor being indebted to Abbot Gasquet for very kind advice with regard to this matter.

The first documents, in point of date, in relation to the sufferings of the Catholics, are certain papers of Thomas Pounce, one of the prominent lay Catholics of Elizabeth's reign, a man of good family, who, in his youth, had been a *persona grata* at Court. Of these papers there are copies at the Public Record Office (which have been printed in Foley's *Jesuits in Conflict*) with the exception of the "Farewell to the People of England," which is therefore given at length in this volume (p. 6). Two or three small errors in the Record Office copies of the other letters are noted.

Much greater importance attaches to the next paper; an account, from the Catholic side, of the first day's conference at the Tower between the Deans of St. Paul's and Windsor (Nowell and Day) and the Jesuit, Edmund Campion (p. 8). There are notes of the later conferences at the British Museum, but those of the first meeting are there wanting. It appears probable that the document amongst the Tresham Papers is the one missing from the Museum set. It is given here *in extenso*, the others having been already printed in the *Rambler*.

On p. 37 will be found an interesting and important petition of "Loyal Catholic subjects" to the Queen. Either two petitions, almost exactly alike, were drawn up, or the destination of this one was altered, as it closely corresponds with what Strype states concerning a petition presented to Parliament at the beginning of 1585. It is preceded by a paper giving reasons for and against presenting a petition to the Queen (p. 34). Both were probably drawn up by Sir Thomas Tresham. In a farewell letter from Thomas Hill, a priest in Newgate, "he then expecting to be executed the next day following" at Tyburn, Sir Thomas is spoken of as standing like another Moses, *in confractione contra violatores fidei Catholicæ*.

The paper already alluded to (see p. xxiv above) giving the reasons "why Queen Elizabeth might better make laws against the Catholics than for his Majesty to continue them," was probably drawn up soon after King James' accession. After reciting the usual arguments against Elizabeth's legitimacy, the document proceeds to challenge the right of Parliament to alter or decide the succession, urging, *inter alia*: that when a Prince dies, there is no interregnum, but the Crown right is immediately in his heir, "as was sentenced by the great arraignment at Winchester therefore crowning addeth no right, but is only a public witnessing and manifesting thereof"; that it is questionable "whether the consent of a King *in facto* and not *de jure* shall ratify any Act of Parliament against him who *de jure* ought to be King; that the crown right of Richard III., established by his own Acts of Parliament, was rejected by his successor, "preferring his and his wife's right before any Acts of Parliament obtained by Richard III."; that Edward VI. reversed the Act by which his father enabled the Lady Elizabeth to stand as one of his heirs; and finally, that "if bastardy and crown disability

were in Queen Elizabeth, then without all exception or question, no sooner was Queen Mary deceased than *in ipso instanto* was the crown right of this monarchy in his Majesty's mother of most blessed memory, as daughter and heir of the eldest daughter of Henry VII."

The writer next proceeds to show that if Queen Elizabeth had remained a Catholic, and submitted her claim to the Pope, "very probable in all likelihood were it" that his Holiness would have given sentence against her (apart from the question of her legitimacy); 1st, in order to concur with the sentences of his predecessors against Queen Katherine's divorce; 2nd, in consequence of the influence of the French cardinals at Rome; 3rd, because Elizabeth had already been suspected of protestant tendencies, and 4th, because her mother, Anne Boleyn, had been "the first giver of entrance to the protestant religion, and the principal cause of her husband's dissolving of monasteries and slaughtering multitudes of religious people." From this it would have followed that all the clergy left by Queen Mary at her death, and all Catholic subjects, would have yielded to the Pope's decision, and, seeing that they had never allowed Anne Boleyn's marriage to be lawful, "would much sooner have made election of the Queen of Scots than of the Lady Elizabeth," the former being ever firmly settled in the Catholic religion, "a most virtuous and worthy prince, and so adorned with gifts of nature and fortune as none comparable to her, and withal the undoubted righteous heir to Henry VII." (p. 128).

From which argument two points may be gathered: viz. that Sir Thomas made every allowance for Elizabeth's repressive policy, and that he did not believe the reports against the fair fame of the Queen of Scots.

The same line of thought was indicated in the *Petition Apologetical* presented to the King in 1604, in which the Catholics prayed his Majesty to restore to them their liberties and privileges as loyal subjects, seeing that he had no such cause to continue the laws against them as the late Queen had to enact them (see p. 22 of the Pamphlet).

At first their hopes seemed likely to be realized, for even before leaving Scotland, James declared his intention of remitting the recusancy fines. The Catholics sent him an address of welcome, but did not dare to present it themselves, as the Statute of Confinement (see p. xiv above) was still in force (p. 124).

The King's lenient resolutions ran some risk of being shaken by the discovery in June, 1603, of "Watson's plot," although this was the foolish scheme of only a few men, not countenanced by the rest and revealed to the Government by the Catholics themselves. It is to this plot, no doubt, that Sir Thomas Tresham refers in his letter to Lord Henry Howard, written on July 16, when he says that rather than such caitiffs should go unpunished, he would himself supply the "burreaw's" office. But, from the next passage in the letter, it would appear that he was inclined to suspect the plot to be a got-up thing, and that he had a like suspicion concerning the Babington conspiracy. "Nevertheless," he continues, "I have so long time been experimented in the cursed 'Machivelian' projects visored in former times on us in ugliest wise, that I partly do suspect *latet anguis in herba*; an Atheistical Anthonie Babington's complotment" (p. 125).

The day after writing this letter, Tresham headed a deputation to the King, and obtained his assurance that the recusancy fines should be remitted.

From a letter amongst the Roman transcripts, quoted by Dr. S. R. Gardiner (*History of England*, i. 101), it would appear that James had definitely ordered the payment of these fines in the Easter term after his arrival in England, but statements by foreigners have always to be received with caution, and a petition presented by Sir Thomas Tresham and others of the sixteen principal recusants would rather lead us to suppose that nothing had been then done either for and against, and that they were uncertain how to act. In this petition they stated that rumours of the King's intended clemency had got abroad in the Easter term after Queen Elizabeth's death, but that their counsel learned had advised them to pay the usual fines rather than risk the confiscation of their lands and goods. Seeing, however, that all arrears up to July 30 had been remitted, they prayed that, as some compensation, they might be exonerated from what was now due, though much less than they had paid in the Easter term aforesaid (p. 138).

This petition was probably presented some time in November, 1604, when the recusancy fines had been re-imposed, but it was without effect, as all those who had paid before now paid again. (See Receipt Book of King's Remembrancer of that date.)

On p. 139 is a long notice, in Tresham's hand, of the examination, in the Star-Chamber, of Thomas Pounce, now an old man, "weak and feeble-witted," in consequence of a petition presented by him to the King concerning the proceedings of Justices Phillipps and Savill in Lancashire against recusants. Attorney Coke stated the case against the prisoner, and the poor old man was attacked by one and another until he appears to have been quite bewildered, although he now and then retorted effectively, and once corrected Archbishop Bancroft when he ascribed a quotation to St. Cyprian instead of to St. Jerome. To Cecil's credit it may be noticed that he and Lord Northampton "manifested their commiserating Mr. Pounce in respect of his old age and decayed memory" (p. 144), and voted against the cutting off his ears, when the heavy sentence was passed upon him of pillory, fine and imprisonment.

One point dwelt upon by Coke was that an old priest of ninety years of age, named Atkinson, had maintained that if any should kill the King he could absolve him, if the party so offending were penitent. To this Cecil retorted that the Protestant clergy might say the same; for who doubted, said he, "but to him who confesseth his offence and truly repented him thereof and maketh satisfaction for the same, but that his sin, be it never so damnable, is remitted and pardoned before God." Some said he used not the word "satisfaction," but "contrition." Tresham notes that they talked "as if it had been a common position of that old aged priest concerning absolving any who should kill the King," whereas they had drawn him on, concerning the absolving of sins, from one thing to another, and finally brought him to this point, on which he had said that if any were so wicked as to commit such a crime, yet were after penitent, he would absolve him, even as he would for blaspheming God himself (p. 146).

In addition to the manuscripts, there were found in the Rushton hiding-place several books and pamphlets on religious and controversial subjects (pp. 152-154), most of which are very rare.

The *Proof of Certain Articles* is at the British Museum, the Bodleian and Lambeth, but the British Museum copy is noted as "exceedingly rare."

The *Declaration* by the Cardinal de Bourbon is at the British Museum and in the Cambridge University Library, but not either in the Bodleian or at Lambeth.

The *Declaration* of the French King, a small black letter pamphlet, is very rare. The only one of the four above-mentioned collections which contains a copy is the British Museum.

The Latin dialogues, *Anti-Sanderus*, are in all four collections.

The Spiritual Conflict, printed at Antwerp in 1598, is the rarest of all, for there is not one exactly like it in any of the collections above mentioned. Lambeth has a copy, but the title page is without date or place and is ornamented with a different device. There is also a copy at Cambridge, but this is a later edition, printed at Rouen in 1613.

The *Petition Apologetical* and *Banished Priests' letter* are at the British Museum, the Bodleian and Lambeth, and they have been reprinted in Dodd's Church History.

The Survey of the New Religion is in all the above collections.

The *Directory* is at the British Museum, Lambeth and the Cambridge University Library.

It is interesting to note that of the five examples at Lambeth, all but one are stamped with Archbishop Bancroft's arms.

The notes respecting Sir Thomas Tresham's building operations found amongst his papers are exceedingly interesting. It has been thought advisable to print them in this introduction, rather than in the text of the Report, in order to compare them with the very valuable monograph upon "The Buildings of Sir Thomas Tresham," by Mr. J. Alfred Gotch.

Rothwell Market House. The first in date is the agreement with William Grombald, a "free mason" much employed by Sir Thomas, for the building of the Market-House at Rothwell. This agreement was made on July 2, 1578. On the building itself, the final words of the inscription recording the date are wanting. Bridges, in his *History of Northamptonshire*, supplies them as "Sep[tuagesimo septo]," which is apparently erroneous. It will be noticed, however, that Sir Thomas gives Grombald the use of the stones and windows already made, but not yet put in

place, therefore it is probable that the first preparations for the work were made in 1577. The text of the agreement (of which there is a draft, as well as the signed document) is as follows:

"A note of a Bargayne for certaine worckes to be done at Rothwell Crosse by W. Grombalde as hereafter followethe.

"Fyrst, Sir Tho. Tresome hath agreed with the said W. that he shall worcke and make or cause to be wrowght and made vii arches, and to sett them uppe in everye respect according to the plott.

"Allso the said W. shall make or cause to be made all ye ashelyer worcke and stone worcke that is now to be done, rowghe worcke and free worcke fullye in eche point accordinge to the plott. All the out syde to be ashlyer and the ynnere side to be rowgher worcke.

"Allso the said W. must make or cause to be made and sett uppe three paire of armes, with the crest, helmett and mantlinge about ye skutchin and helmett, to be large and very faire wrowghte and done.

"Allso the said W. must worcke twoo wyndoes of foure lyghtes apeece and sett them uppe, which wyndoes must be foure foote highe of jame [jamb] and of bredethe accordinge to the rest.

"Allso to sett uppe fyve other wyndoes, one of three lyghtes and ye rest of foure lyghtes a peece of lyke heighe and bredethe.

"Allso the said W. must worcke seaven gablins with wallowing, tabeling, somers stoanes* and toppe stoanes, with seaven beastes of a full yarde hyghe or better, holdinge a skutchin of armes engraved with one coate onely or a fane.

"Allso the said W. must worcke fyfthe skutchins with armes imboast upon them that must stand rounde about the house of the ynnere syde, with an arcketrave under and a cornishe over them, accordinge to a plott allreadye drawn by the said W., shewid unto the said Sir Tho. Tresome.

"The three paire of armes aforesaid must be sett upon the said house on the out syde, one of them under the wyndoe of the west end of the howse, an other upon the east syde of the house under the wyndoe, an other upon the north syde under the porche wyndoe.

"Allso it is agreed by the said Sir Tho. Tresome that the said W. shall have all the stoane and wyndoes that are now redye wrowghte towards the said worcke, and that he shall have all free stoane and rowgher stoane found him so muche as shall be needefull to be occupied about the said howse, with all lyme, sande and skaffold tymber, as hurdles, studdes†, hoddies, corde, nayles and all such thinges as shall be needefull, at the proper cost and charges of the inhabitantes of Rothwell aforesaid.

"Allso it is agreed that the said W. shall sett uppe one chymneye vii foote wyde and all thinges belonging thereto of the workmanshippe. The flowre must be xiii fote hyghe from the mydle flowre uppe to the toppe.

"Allso it is agreed that the said W. shall fynyshe all the said worckes by the feast of St. Michaell th' Archangell next comminge after the date hereof.

"Allso it is agreed that the said W. shall have for the good, cleane and sufficient workmanshippe of all the worckes aforesaid the somme of lxxli. of good and lawfull englyshe moneye to be payed everye monethe the somme of xvi. untill it be expired. Wrytten the second daye of Julij in the yere of oure Lord," 1578. Signed, Tho. Tresome. Welam Grombold.

* "Somers-beam" is a main beam or girder. "Somers-stone" is probably used in the same sense.

† "rowght," in the draft.

‡ "scutles," *ibid*.

If this agreement is compared with Mr. Gotch's description and plates, it will be seen that there are certain differences between the building agreed upon and that actually erected.

The original idea was that the upper room should have one fireplace and seven windows, including a "porch-window" on the North side, over the door; but it has two fireplaces and therefore there is no window over the door. There were to be fifty coats of arms on the in-side of the building; actually there are ninety, and these are on the outside. The three great scutcheons on the North, East and West sides are wanting, and the only one existing is on the South side, where apparently it was not originally intended to put one at all. Of the seven gables with the seven great beasts there is unhappily now no trace. The reason why seven gables only were to be made was, no doubt, that the middle of the south side would be occupied by the chimney. Some of the stone was evidently provided by Sir Christopher Hatton, for several years later Sir Thomas recalls his kindness in allowing the free use of a pit of stone in his quarry at Weldon "for the finishing of Rothwell Cross, . . . which stands midway between Sir Christopher's two stately edifices [Kirby and Holdenby] as a witness of the bounty of happy Holdenby to ruinous Rushton" (p. 33). These words seem to imply that the building was actually completed, although its present state has led experts to a different opinion.

The Triangular Lodge. Sir Thomas's next undertaking was the Triangular or Warrener's Lodge at Rushton, and we are able to follow the building of this, stage by stage, from the beginning to the end; for Sir Thomas's steward, George Levens, in a series of account books for the years 1593-1597, has noted its progress with the utmost detail.

As exact accounts of building operations at that time are rare, and the Lodge itself is extremely curious, it has been thought worth while to print such parts of these notes as relate to the actual erection of the building, omitting unnecessary repetitions and entries on other matters.

It may be premised that the Grombolds, who had done the work at Rothwell, and who, a little later, undertook the New Building at Lyveden, had nothing to do with the Triangular Lodge, the free masons employed being Thomas Tyrroll, his three

sons, John, William and Thomas, jun., Thomas Drewe and his son John Drewe. To these were afterwards added one Hence, and the more delicate parts of the carving were entrusted to a man named Parris.

* "Ane accompte of the charges of the Warryner's Lodge, defrayed to mazon, carpenters, laborers, &c., begun July 28th. 1594."

"The first weke, ending August 3, 1594, free mazon hewing coynes, rough mazon scaplinge stone and laborers digging stones at Widow Davies."

"The second weke, August 10, scaplinge stone, hewing coynes digging stone at the Pondhead and grave, &c. Digging the foundations of the Lodge."

"The third weke ending August 17, makeinge the truffle [trefoil] windowes for the lowest storie, and preparing steppes readie to bringe up the stayres. The rough mazon, laying all this weke, brought the wall two foote from the bottom of the foundation. Tho. Tiler laying of his kill."

"This weke, ending Aug. 24, the free mazon finished the lowest truffle windowes. Tirroll brought up the steps and perpoint with the side walls, which were raise this weke from the foundation to three and a half fote highe. The carpenters begonne their first flore. Tyler burnte the kill."

"Aug. 31. This weke the lowermost windowes sett up and the crosse windowes begonne."

"September 7. This week the wall was brought up to the lowest flore and the flore sett on. Six of the lowest partes of the cross windowes finished, the stayres brought up with the wall splayes, also prepared for the second windowes."

"Sept. 14. This week all the stones for the lower parte of the crosse windows finished; also four of the upper stones. The walls brought up from the second flore to the cross windowes. The lower parte of the windowes sett on the walls this weeke, viz. on Satterday, being hollyerood daye.

"Sept. 21. This weke the walls brought up to the middle of the crosse windowes; the over part of all which windowes finished and parte of the cornishe. The second stone of three done. The carpenters and sawyers in hand with the second flore."

"Sept. 28. This weke the second parte of the windowes sett on and the wall brought up to the topp of them; the cornishe all finished and the uppermost windowes begonne. The second flore allmost finished, reddie for setting on."

"Oct. 5. This weke the cornishe sett on the wall. Three of the uppermost windowes finished. The flore layed, the harthe of the chimney begonne; the doores, stayres and perpointe wall brought up allmost to the flore."

"Oct. 12. This weke the uppermost flore sett on; the same againe remooved and sett higher, because of convenient conveyance of the stayres; also for bearinge of the turne crampes above the cornishe. Three more of the windowes finished; the figures fastened and the walls brought allmost a foote above the flore. The wall playtes of the uppermost ceeling framed."

"Oct. 19. This weke all the uppermost windowes saveinge one finished and saveinge the scutchions. The walls brought up to the settinge on of the windowes; likewise the chymney to the same height."

"Oct. 26. This weke the windowes sett up, and the walls brought up so highe as the scutchions are to come on. Four scutchions made, the rest after made by Drewe. All the free mazon for the more parte of this weke busied about settinge of the said windowes, consistinge of manie stones; also in setting splayes and bringing up the perpointe wall."

* It will be noticed that the spelling of these notes is very irregular, and the dating sometimes incorrect. The Sunday date is often given instead of the Saturday. Probably Levens wrote up his journal on that day.

"The week ending Nov. 2, the Lodge covered with furzes. The carpenters and their menne about the frame for the rooffe of the howse. Drewe in hand with the scutchions for the upper corners of the windowes in the second storie. Tyrroll and his sons about the cornishe. Tyler about his slate."

After this, for several weeks there are entries only of payments for carpenters, sawyers, &c., with no notes of what work was done; the free masons being engaged in "piece-work," as appears from the following entry at the end of the year:

"To Drewe for making ten corner skutchions for the upper windowes of the Lodge, with binding into the wall, at xij*d.* a piece.—xs."

"To Tyrroll and his sonnes for a hundred foote of cornishe for upper storie of the Lodge, at iiij*d.* a foot.—xxxiijs. iiij*d.*"

"To Tyrroll and his sonn.s for the tunnell of the chymney, conteynning 171 foote, ij*li* xiijs. iiij*d.*, which is after four pence the foot, eleven foote excepted."

"Sum totall of all disbursed in this book, xcvi*li*. xjs. jd."

Then follow payments for 200*lbs.* of iron for the figures (*i.e.* dates) on the Warryner's lodge, and 71*lbs.* more for the "turn crampes." Also for coals used in the working of them and wages for workers; also for hooks for the Lodge door and those at the stairs head and foot, the door under the stairs, that in the upper chamber and that "by the chimney," and further payments for nails, scaffolding and lead, and for boards and "making the moulds" for the windows. Followed by a breviat of disbursements for the Lodge up to the end of the year—

	£	s.	d.
Free Masons - - -	37	14	5
Rough Masons - - -	22	13	7½
Labourers - - -	15	2	2
Carpenters - - -	8	12	0
Sawyers - - -	4	16	1
Tiler, at the kiln - - -	2	8	8

with other items, bringing the total up to 103*l.* 11*s.* 9*d.*

The first few weeks of the new year were spent in digging out more stone, and then Tirroll and his sons set to work upon the crockets, while the carpenters made rails, posts and lintels. Stones for "springers" and "coynes" were also got ready, and John Tirroll "bestowed two days about a pattern for a topstone." In May, the very skilful free mason, Parris, joined the workers, and was paid forty-five shillings "in part of his bargain for working the scutcheons."

* "Springer" is probably used here in its sense of the bottom stone of the coping of a gable. "Coynes" are "coigns" or corner stones.

In the following extracts, the date is that of the last day of the week, as in the entries above.

1595. May 3. "Three double crocketts made; also some stones prepared for the tunnell of the chimney. Parts of outside stone scapled and part of inside stone."

May 10. "Free mazons worke in bringenge up the tunnell of the chymney to the ridge of the howse."

May 17. "Free mazons about the tunnell of the chimney and squareinge three crocketts for the crestes . . . Parris finishing the 10 (?) armes and those on the north windowes and north west corner."

May 25. "Free mazons squareinge and moldinge eight crockett crestes, and setting upp the tunnell of the chymney to above the base."

June 7. "Free mazons workeinge ashler and squareinge two of the gole end stones. Parris this weke and the last finishing five crestes."

June 28. "The free mazons setting the skutchens on the windowes, bringing up the parpoint wall at the stayre's hedd and setting splayes. The layers scaplinge white stone, and makeinge even the wall to the foot of the skutcheons. . . . Watts and his manne hewing timber for the lintells and for the crosse beame under the chimney."

Of this chimney Mr. Gotch remarks: "The chimney rises mysteriously from the middle of the building, and as there is no wall immediately beneath it, it becomes an interesting speculation as to how the chimney is carried, for the plain flat whitewashed ceiling of the top floor hides everything above it." The mention of the cross-beam is therefore important.

July 4. "The free mazons hewing stone for the perpoint wall and making the architrave for the chymney and some part of the freeze. The roughe mazons scapling inside stone. Parris and his manne finishing three maydenheds and beginning two falcons. Sawyers four days about lintells and bordes for the gutters. Watts and his man frameing those lintells and gutter sparres."

It is not clear what the maiden-heads were. They can hardly have been the angels, as these were apparently not yet rough hewn. The falcons were crockets on the gables. See Mr. Gotch's drawings of the Lodge, plate 8.

July 11. "The free mazons finishing the architrave and cornishe for the chymney and four of the topstones for the pyramidesses. Parris and his manne wrought almost two falcons and the third begonne . . . The carpenters pinning the sparres, layeinge the gutter sparres, cutting out pieces for the particions."

July 18. "Tho. Tirroll all the weke about the base and spire of a pyramidis. Ould Tirroll, John Tyrroll and Hence all this weke about five of the topstones and the freeze of the chymney. The layers all the weke scapling inside stone."

July 26. "Drewe one day cutting five letters. Ould Tirroll, Hence and John Tirroll first squareinge eighteen stones for the letters over the skutcheons; then layeinge them aside and squareinge and moldinge twelve of a bigger scantling for that purpose. Ould Tirroll two dayes about the stayre's parpoint wall and dore hed there." [The 18 stones over the scutcheons bore letters forming the text *MENTES TUORUM VISITA.*]

Aug. 2. "Drewe finishing the eighteen letters. Old Tirroll and his sonne Thomas setting them. Four of the aungell [angel] stones roughe hewen. Parris roughlie fashonninge four of the aungells."

Aug. 9. "The nine aungell stones finished by the masons and roughlie fashioned by Parris and so sett up. Also some of the lower cornishe sett upp this weke. Old Tyrroll and John two days about windowes. Hence about moldinge the square stone on the chymney Tho. Tyrroll two days about one of the stones for the chymney cornishe. Carpenters and sawyers about sawinge, hewing and frameing timber for the particions."

Memo. Paid this week to the smith 4*l.* 2*s.* 3*d.* for iron plates, pins, &c., to fasten the lintels, wall plates, timber under the tunnel of the chimney and the corner couples.

Aug. 17.* The free masons setting part of "the cornishe that standeth for the architrave," also "sorting and settinge the ashler upon the Lodge, each stone in his dewe place." Old Tyrroll three days about the cornice for the chimney. Tho. Tyrrol setting the chimney. Hence about the angle ashlar, and "the skutchyen payne [*? panel*] moldinge at the chymney." Carpenters setting up the roof. Hitchcock and his sons filling up the wall behind the first cornice

Aug. 24. The free masons setting the ashlar, working the cornice over the ashlar, and squaring a stone for the chimney. Layers bringing up the walls "so high as the freeze."

Aug. 30. Free masons setting the cornice and "double springers" and squaring some of the dial-stones. Rough masons "bringeing up the wall from the cornishe to the diall-stones, and one day at the rayle stones."

Sept. 7. "Thos. Tyrroll and Hence settinge all the square gable end stones, whereof three they and Parris' manne molded." The layers all the week at the Lodge walls.

Sept. 13. By the free masons "the great stone under the architrave of the Lodge chymney, also that architrave, free[ze] and cornishe, and a course above the cornishe brought on; fifteen crocketts sett and six little free stones by the dialls; and three long ashler wrought for a course above the dialls." The layers "apting binding stones for the crocketts, bringing up six of the gable ends so highe as the diall stones and cramping four of those stones with yron. . . . Parris and his manne polishinge the aungells."

Sept. 20. Free masons "squareing six ashlers over the diall stones, and three other little ashlers to be placed by those stones. [For these long and little ashlers, see Mr. Gotch's elevations of the Lodge.] Also finishinge the finishinge stones of the chymney and the base thereof. . . . The layers finishinge four of the gable ends of the Lodge, redie for the topstones, and fastenninge four of the yron cramps to the diall stones." Parris and his man about the work at the Lodge chimney.

Sept. 27. Free masons "setting up the topstone of the chymney; also cuttinge the crocketts fitt for the topstone of the pyramides, makeinge and fillinge the Chaldee letters and some other letters about the chymney." Rough masons pinning under the partition in the cellar, and "bringeing up the rest of the gable ends (*viz.* five) so highe as to the top-stone, so there wanteth only the rest of the crocketts to come on. . . . Laurence one day beatinge cole dust for letters, Paris finishinge the lambe, cup and inscription, and making three dates, on each side of the chymney one."

There are no "Chaldee" (by which is probably meant Hebrew) letters at the Lodge, but the reference is evidently to the monogram I.H.S., which occupied one panel of the chimney, the other two containing the lamb and the chalice. The "other letters about the chimney" were the words "Ecce," "Salus"

* Only the words within inverted commas are quoted verbatim. Notes of other work are often mixed up with the entries relating to the Lodge.

and "Esto mihi," under the lamb, cup, and monogram respectively.

Oct. 4. Freemasons "cuttinge and fillinge letters about the chymney," and drawing up and setting the gable end top-stones. Rough masons helping to set up the nine top-stones. Parris and his man working five coats and crests

Oct. 12. Thomas Tirroll and Hence four days finishing the crocketts. Hence one day cutting the letters over the Lodge door ["TRES TESTIMONIUM DANT"]. Carpenters sparring the Lodge. Parris all this week about the crests and arms at the lowest windows at the Lodge. Plumber finishing his work at the Lodge.

Oct. 18. The slaters about slating one sixth of the Lodge. Parris and his man "dipping the letters in the aungells' brestes [i.e. colouring them. The angels are the gargoyles under the roof, and the letters on their breasts and below them give the initials of the *Sanctus*]. The rest of the weke at the cotes and crestes in cross windowes."

Oct. 25. Thos. Tyler finishing slating the south-east side of the Lodge. "Parris and his manne made ane end of all their worke for this present about the Lodge."

Nov. 1. The free masons "all one daye hewing perpoinct ashler for the Lodge particions."

Nov. 8. "Hence, Thomas Tyrroll and John Tyrroll four dayes this weke about moulding the ashler stones above the diall stones at the Lodge. They the rest of the weke, also old Tyrroll and William Tyrroll all the weke workeinge perpoincte ashler for the particions at the Lodge." Carpenters two days about partitions in the cellar at the Lodge.

Nov. 15. "The free mazons all this weke setting up one of the particions in the middle storie of the Lodge and halfe of th'other* in that storie. . . . Thomas Tyler at the Lodge."

Nov. 23. "Free mazons finishinge the second particion in the middle storie in the Lodge. Also one of the particions in the uppermost storie."

Nov. 30. "Free mazons wholie finishinge the particions in the Lodge. Rough mazons also finishinge the chimney so highe as the floore. . . . Thos. Tyler still at the Lodge."

Dec. 6. Thos. Tyler finishing the Lodge.

Dec. 20. The free masons four days finishing the chimney tunnel at the Lodge, and the half pace [i.e. raised stone or step] at the Lodge door. Carpenters laying three boards in the roof floor in the Lodge. "The floores in the Lodge lathed, the plaister for the same burned, and the Lodge floores therewith made."

For the next few weeks there is no note of anything but digging of stone, &c. In the week ending the last of February, 1595-6, the sum of 45*s.* is paid

"to ould Tirroll and his sonnes for working of 144 foote of ashler, two dores, two skutchiens and two date stones for the particions in the sellar at the Lodge, and for setting up those particions, at 4*d.* the foot."

After this, the free masons are only mentioned as working at the topstones, until the end of May.

1596. May 29. "Tirrolls finishing and setting up the nine topstones at the Lodge." Labourers carrying up the top-stones.

June 5. "Thos. and John Tirroll tombing downe the arras of the upper windowes in the Warriner's Lodge."

* This is exactly accurate, as the third angle of this story is solid.

June 12. The free masons "tombing downe the arrases of the upper windowes in Connegerie [*i.e.* Warrener's] Lodge, and dippinge in some letters and dates there. viz. above the diall stones and on the square stones on each side of them.

June 19. "Thos. Tyrroll dipping letters and filling them at the Lodge, also William Tyrroll helping him, and men and (*sic*) beating dust for those letters." Paid to smith 18*d.* "for 3 brasen gnomons for the dyalls at the Lodge."

Nothing more until the end of July—

"To Parris (July 24) in part for the worke which he is about at the Lodge, viz. the pellicane, &c., 20*s.*"

July 31. "John Tyrroll moldinge the square stones in the gole ends of the Lodge."

Then again a pause, during which the building of the Hawkfield Lodge (of which the foundation stone was laid on Aug. 2) was being rapidly pushed forward. The next entry for the Warrener's or Connegerie Lodge is in the week ending Aug. 28:—

John [Tyrroll] helping Parris at the Connegerie Lodge, who that week finished the globe and serpent. [These are carved upon the square stones (see p. xxxix above) in the middle of the six outside gables, the centre one on each side bearing a dial-stone.]

Sept. 4. Tyler and labourer setting on the crests at the Connegerie Lodge.

These were the tile crests for the ridges of the roof; several dozen having been purchased for the purpose, at 2*s.* a dozen, a week or two before.

Although the Lodge was now practically finished, some little joiner's work was still going on during the next year, and it is not until September 24, 1597, that we meet with what appears to be the final entry of all:—"2*s.* to Richard Paynter, for gilding the truffles of the top-stone at the Connegerie Lodge."

And thus, in September, 1597, a little more than three years after the digging of the foundations, the work was done.

It will be noted that the mysterious incident which had roused Sir Thomas Tresham's interest in the doctrine of the Trinity had occurred some four years before the Lodge was begun, but during those four years, his plans had no doubt been maturing in his own mind, and only awaited his actual presence at Rushton to be put into execution. Sir Thomas returned to his home, as has been already said, in the spring of 1593, and 1593 is the first date found upon the Lodge, although Levens distinctly says that the work was begun on July 28, 1594, and the foundations were not dug until a week or two later. It is probable therefore that the plans were made and arrangements concluded in 1593, but that Sir Thomas being much away on law business, and afterwards confined for many months in the Fleet,

the actual commencement of operations was delayed until the following summer. He reached home again probably about the middle of July, 1594 (his first letter after his arrival is dated July 22 (p. 80), and it is impossible to imagine Sir Thomas passing many days without writing letters), and after this there was no more delay.

In the notes upon the "painted work" at Ely, mentioned above, (p. xix) there are a great number of calculations, combinations of letters, arrangements of texts and explanations of symbols, which throw light upon the meaning of the devices at the Triangular Lodge, although the exact numbers there found are not amongst them, unless, indeed, we may read the figures over the Lodge door as not 55.55 but 33.33, the number 33 being Sir Thomas' favourite symbol for our Saviour.

The reasons given by Sir Thomas for the use of some of his emblems are very fantastic. Thus it is easy to see why he uses the cross combined with the letters I.H.V. (*In Hoc Vince*) or its Greek equivalent E.T.N. (*Εν Τούτῳ Νικᾷ*) "which words appeared with the cross in the firmament to Constantine and his whole army"; but it is less easy to understand why a device consisting of triangles and pentagons should be employed because "that was the character wherein Antiochus 'Sother,' warring against the 'Galatheans,' reposed hope of victory, which accordingly ensued."

The word 'Eeli' is taken as being both "the word used by our Lord at the time of his most bitter passion" (the double e being explained to stand for re-iteration) and the name of the place where Sir Thomas was confined.

The phrase "*tres unum sunt*" overflows with meaning. The three words "manifest" the Trinity, and the equal length of each word, the Trinity in unity; the first and last letters give the initials of Sir Thomas's own name, and the total of twelve letters "apteth with the *nomen dei duodecim literarum*, wherein is particularized *pater, filius et spiritus sanctus*, *pater* in the Hebrew written with two letters, *filius* with other two and *spiritus sanctus* with eight."

One text, containing fifty-two letters, is used as "making up my present sinful years of age,"³ another as having "so many letters (276) as our Saviour was days in the Virgin's womb."

* This agrees with the Inquisition taken on the death of his grandfather, and is a further proof that the figures on the portrait at Boughton House are incorrect.

The dates of years are said to be "all evident of themselves, declaring the day of the incarnation, nativity and passion of our Saviour Jesus Christ. Also the day and year when I first resolved upon the garnishing of this window; wherein may be noted how all rise from the number of 25, the quadrate number of Jesus as of Maria." The days of the Incarnation and Nativity are, of course, March 25 and December 25, and Sir Thomas refers in this same paper to the general opinion that the day of the Incarnation was also that of the Crucifixion. As to the time of resolving to garnish the window, Sir Thomas's statement has already been quoted that it was when he returned to Ely "this last time," *i.e.* in December, 1596. He got his numbers quite as often by addition as by multiplication, and the probability therefore is that the "day and year" was either the 19th of December^{*} (*i.e.* the 10th month) or the 18th of January (the 11th month) 1596; the sum of these figures, 1625, being a multiple of 25. Curiously enough the next number to this, 1626, is found on the Triangular Lodge. With the above as a clue, it is at any rate a plausible suggestion that, on the Lodge, it means the 27th of July (the 5th month) 1594. The Lodge, according to Levens, was not actually begun until the 28th, but some preliminary work, such as tracing out the ground, might well be done the day before.

But the figures 1626 might also mean the day in 1593 when Sir Thomas first resolved upon the building of the Lodge (say, for instance, May 30, 1593, just after his first return home, though every later month furnishes a like combination), and this same year may perhaps be the clue to another number, 1641, which appears on the Lodge. In 1597, Sir Thomas uses the number 52 as being the years of his age. Now if to 1593 we add Sir Thomas's age at that time, *i.e.* 48, we get the number 1641.

These solutions, following the lines of Sir Thomas's own explanations concerning his Ely work, are perhaps more probable than the very ingenious but more enigmatical ones suggested in Miss Jourdain's interesting chapter on Sir Thomas Tresham in *Memorials of Old Northamptonshire*, p. 140. Of the other numbers on the Lodge, 1593 is no doubt the date of its conception, 1580 the year of Sir Thomas' reception into the Roman Church, and

* The Recusants were to surrender at Ely "by the 20th and 24th" of December. If Sir Thomas was amongst those who had to be there on the earlier date he would be very likely to go a day earlier, for fear of accidents.

1595 the date of the actual carving of the stone (see p. xxxix above). This leaves the two high numbers 3898 and 3509, to which the Ely work supplies no clue, except as showing that by addition, multiplication, the use of Greek and Hebrew letters as symbols of numbers, and other fantastic arrangements, Sir Thomas could obtain almost any result he pleased.

Thus, a combination mentioned more than once is 80 *pater*, 400 *filius*, 1 *spiritus sanctus*, "this after the Greek computation, and so directed in the great General Council of Neece, the first letter of each name proving the said number." Another is 316, "which in the Hebrew account both maketh the number of God and the Blessed Virgin; the first 26, this 290, both which compounded yieldeth 316, which also is the number contained in Jesu." The number 26 is obtained from the "ineffable name of God" by counting the places of its four letters in the Hebrew alphabet; and the other name "which He himself signified to Moses," in like manner gives the total of 21. Moreover this last name in Latin, *sum qui sum*, again signifies the Trinity, being three words of three letters each and the middle letter of each word gives V.V.V. "which inferreth *via*, *veritas* and *vita*." Another favourite number is 111, obtained from the initial J's of Jesus, Jesu, Jesum, which also "collected together in arithmetical wise" make 111; viz: 1, 10 and 100. Also the final letters of this "declination" of Christ's name, again give *sum*.

L.E.E. stands for *lege, evangeli, ecclesia*, "the Father revealed in the Law, the Son in the Gospel, the Holy Ghost in the Church." A.M.A. represents "the precept of charity," and A.B.V. gives the first letters of Father, Son and Holy Ghost in Hebrew, *i.e.* the "name of twelve letters" mentioned above. Certain triangles are divided into thirty-three spaces, being "the number of Christ's age for years," others into sixty-six, being "double the years of Christ," while another has 78 divisions, "the number of the generations from Adam to Christ, exceeding only one."

The above are only a few of the strange calculations contained in the notes. There are also many loose scraps of paper covered with figures, their sums, products and differences, and with texts or initial letters of sentences, all, apparently, belonging to this very elaborate "painted scheme."

As regards symbols proper, the I.H.S. and the various monograms formed of the Greek letters X and P, play a prominent part, and many birds are included.

The Pelican in her Piety stands, of course, for the love of Christ to his Church, and also for maternal love. The stork has for its chief attribute, according to Sir Thomas, "matchless love to parents." He also gives a curious tradition that, fearing the night owl's attack upon the eggs laid by his mate, the father bird carries "*plantanifolia*" into the nest, the scent of which the owl "cannot abide."

The hen and chickens have their usual symbolic meaning of Christ and the Church; but the chickens are to be depicted in a brood of nine, "whereof six white and three red, the red insinuating the male, the white the female," a device clearly pointing to Sir Thomas's own sons and daughters. This is made more plain by the further suggestion that they may stand for three "bestowed and six unbested," as at that time only his son Francis and his two eldest daughters were married. Thus we hardly need Sir Thomas' assurance that in this sense it is "nothing answering to Christ."

The Turtle, standing in the grass, amidst flowers, is "an argument of winter passed," and also of matrimonial love; while the Dolphin, "winding about an anchor in a tempestuous surging sea," expresses the mariner's hope of the storm passing away and bodeth a prosperous calm at hand, "even so of the coming of Christ amongst us." And "where the white dove with the olive branch sitteth on the serpent's head with this posy, *ipsa canteret caput tuum*, this therein to be noted, that one translation hath *ipsa*, but other will have it *ipsi*. However it be, the sense little differeth, for it thereby intendeth Christ, who is *semen Virginis*; wherefore with the translation as it is, or as others (envying at the Blessed Virgin's glory) would have it, none can justly carp thereat, for none will deny but that she brought into this world the olive branch of mercy which undoubtedly declared the inundation to be past and crushed the head of the serpent." Another point "herein to be noted" is that Sir Thomas employs the dove as the emblem of the Second, not the Third, person of the Trinity.

These details have been given in the hope that they may assist in reading the unsolved riddles on Sir Thomas's buildings. His

own apology for the fancifulness of his devices is that the harder a conceit is to find out, the more commendable it is, "so long as (ytt beyng discovered) ytt be perspicuously to the purpose."

The Hawkfield Lodge. On Tuesday, August 2, 1596,—the Triangular Lodge then fast approaching completion—the foundation was laid of a new Lodge "in the Hawkfield" at Rushton, for which a good deal of the stone work had been already prepared.

Of this Lodge, no remains now exist, but amongst the Rushton papers are two small ground plans and a carefully drawn elevation of a building which can be clearly identified from Levens' notes as the Hawkfield Lodge.* The ground plan may be said to be a dodecagon intersected by an equal armed cross, the arms of the cross protruding sufficiently to form porches, or (in one arm) to contain a staircase, and the other eight sides of the dodecagon containing large windows. Above is a parapet with rails, the upper floor being of the same form as the lower but smaller. The roof is vaulted, finished by a large stone ball, and supported, as is evident from the notes, by a central pillar. There is very little wall space, and therefore it is not surprising that Leven's scattered entries are chiefly concerning the working and setting of "coynes and jawmes" for the windows and doors. Six trees were "spent" for lintels, "eache carryinge almost a fote square, and in length 14 or 16 fete." Three doors are mentioned, two with "date-stones," and the third with a scutcheon of the Tresham arms. For carving this, Parris was called in, the rest of the free masons' work being done by the Tyrrolls. There are many notices of the work done upon the "great pere" or "canted pillar." Later, the parapet, ribstones for the "vaute," springers, archstones and chaptrells are mentioned, together with an architrave, freeze and cornice for the pier.

In the autumn of 1597, the masons "wholly finished" their work for that year by "coping the walls and righting up the pendant stone." There is no mention of the great stone ball on the top, which if ever added at all, must have been put on the following year (for which the account books are wanting). The two side porches of the Lodge were more elaborate than the main entrance, and had pillars which perhaps bore the

* These drawings have been specially reproduced for this volume, and will be found at the end of the Introduction.

"chaptrells" mentioned above. It is characteristic of the care which marked Sir Thomas' work that in the ground plan the coyne or "cant stones" at the twelve angles of the walls and the eight outside angles of the porches, &c., are clearly drawn as "a whole stone and not jointed in the angle" (*cf.* Sir Thomas' instructions concerning Lyveden, p. lii below). The diameter of the Hawkfield Lodge was only 17 feet, and it appears to have had no chimney. It must therefore have been built rather for ornament than use, though it would no doubt serve as a shelter in bad weather.

Rushton Hall. Whilst these Lodges were exercising Sir Thomas's fancy, a good deal of work was being done at Rushton Hall itself. The following are the more important entries relating to it, the dates being in each case the Saturday of the week to which the entries refer:—

1595, July 26. Old Tyrroll about "the mantle-tree and jawmes for the chymney in your closett."

Aug. 2. Layers at the partition for the gallery and scapling stone for it. Carpenters sawing timber for it. Iron plate "to strengthen a poste at the entrance to your closett within the ould gallerie."

Aug. 9. Layers "fynishinge the particion wall in the gallerie. The rest of the weke squareinge the stone for the rayles." Carpenters and sawyers about partitions for the gallery.

Aug. 17 The Tyrrolls about the gallery windows.

Aug. 24 Old Tyrroll about the gallery windows. Carpenters setting up the partition in the gallery.

Aug. 30. The Tyrrolls about the gallery windows. The tylers "slattinge between the newe dormer windowe and the next window from it northwardes."

Sept. 7. The Tyrrolls about ashlar for the gallery windows. The rough masons "takeinge downe the wall in the gallerie for the windowe of six lightes, and hewing stone and bringeing up part of that wall agayne. . . . The tylers slattinge onelye the space betwene the windowe northward and the top of the corner gutter beyond your worship's closett."

This mention of the window of six lights seems to locate the gallery in the west side of the quadrangle of Rushton Hall, where there is such a window, facing the court, with this date, 1595, over it. See Mr. Gotch's *Renaissance Architecture in England, Part III.*

Sept. 13. "Ould Tyrroll all the weke bringeing the bay window in the old gallerie so highe as the lintills." Layers bringing up the inside of the bay window. "Tylers uncovering and slattinge agayne betwene Kinges chamber and the newe chymney."

This chimney is probably the great chimney shown in Mr. Gotch's drawing of the west or garden front of the Hall, and thus would be in the same gallery as the six-light window.

Sept. 20. The Tyrrolls "bringeinge up the gallerie bay windowe and hewing tabling stone and ashler for yt and for the next windowe to yt." Rough masons about the chimney in the gallery. Tylers lathing the bay window and slating part of it, Paris "about a date sett over the gallerie baye windowe."

Sept. 27. The free masons "bringeinge the northe windowe of your worship's inner closett up to the cornishe, and provideinge ashler and tabling stone for yt; also coyne and charke for the gallerie chymney. Carpenters . . . frameinge the northe dormant of your inner closett windowe. Slaters slatting almost all the great bay windowe in the gallerie and betwene that and the gutter on the south side thereof." Rough masons at the chimney. Paris's man working three scutcheons, "wherof one for your inner closett windowe. Parris working a date for that windowe. Plomer . . . about the gutter behind the parler chymney, and conveying yt betwene that chymney and the newe chymney." Smith paid for six bars "for the court windowe of the old gallerie closett," six for the south window of the said closet, and three "for the gallerie windowe being southe from the chymney."

Oct. 4. Old Tyrroll finishing "the northe windowe of your inner closett." He and his sons "workinge ashler, tableing stone and munyons for ane other windowe. . . . Tylers bringeinge up the space betwene the abovesaid closett windowe and the great windowe of the gallerie to the gutter." Carpenters setting up one gable end at the gallery.

Oct. 11. Free masons "about the chymney in the gallerie which Wignell this weke finished." Also about the windows in the gallery. Rough masons "bringeinge the south windowe of the [inner *erased*] closett in the gallerie to the top." Tilers "finishing the courte [*over south erased*] side of the gallerie and closett." Carpenters "frameinge the dormers for the chymney and for the southe windowe of the closett."

Oct. 18. Free masons "working windowe worke, scutchions, dates, cornishe, tabling and ashler for the gallerie; also there settinge up one windowe." Masons "bringing up the roughe worke of one window." Carpenters "frameinge coples for one dormer in the gallerie"; sawyers "sowing coples" for two more. Slaters "finishing the sowthe dormer of the inner closett and the chymney dormer. Parris and his manne makeing three pare of armes and as many dates for the gallerie and bridge."

Oct. 25. The Tyrrolls "finishinge the last windowe in the gallerie, viz. that on the garden side; and for (*sic*) ashlar and tableinge for yt." Carpenters at the gallery dormers. Rough masons and slaters at the gallery. "Labourers 'sowing' stone and servinge in the gallerie."

Nov. 1. The free masons "working tablinge, ashler, &c., for the last windowe in the gallerie and for settinge the same, and finishing that windowe. Also tombing downe the munyons [*transoms erased*] to parroll* with the heads and soyles of all the rest of the windowes in the gallerie." Rough masons "about the wall on the west side of the gallerie," carpenters framing spars for the last dormer window there, and slaters slating it.

Nov. 8. Rough masons "making up the wall betwene the partition and great windowe on the east side of the gallerie. . . . The slatinge of the gallerie this weke finished and the partition in the gallerie teered." Labourers "ridding rubbishes out of the gallerie."

Nov. 15. Slaters "lathing all the gallerie overhead, and teeringe halfe of yt betwene the sparres. . . . Carpenters lyninge the traceinges overhead." Sawyers finishing the tracings.

Nov. 23. "Slaters lathing the residew of the long gallerie and plaistringe yt."

Nov. 29. "Slaters havinge finished all the sides, also the roof of the gallerie. did take up the plaister beyond the partition."

* *i.e.* "pareil"; very unusual as a verb.

Dec. 6. Carpenters hewing timber "for traceinges for the dormer windowes and for lyninge the traceinges of the gallerie floore, beinge in manie places throughe warping not levell." The slaters and labourers, "breakinge up the gallerie floore, carieinge downe the plaister, clenzing the gallerie and burninge the plaister."

Dec. 13. "Carpenters lyninge the floores in the gallerie and layeinge traceinge over the dormer windowes." The slaters and labourers "this week lathed and ronne the gallerie floore with plaister." The free masons "makeinge a close windowe out of the gallerie closett into the Hall." Also the rough masons making a breach in that wall. Four dozen tile crests bought for the dormer ends of the gallery.

Dec. 20. The free masons "about the little windowe lookinge forth of the gallerie closett into the Hall." The rough masons also at the said little window. The windows in the gallery "lathed and zealed, and some parte of the inner closett lathed, and the closett stare shoot with plaister."

1595-6. Jan. 3. Slaters "lathing and seeling the gallerie closett."

Jan. 24. Paid to Kendall "for two casements at a noble a pice, 13s. 4d., for the newe gallerie windowes; also for a little casement for the blinde windowe in the gallerie closett, 3s. 4d."

April 11. Easter Even. Paid to the smith of Northampton "for makeinge five casements for the new gallerie windowes," 33s. 4d.

May 22. "Six barres for the gallerie windowes, weighing 58 pounds, at 1d. ob the pound workinge."

June 26. Paid to the mat-man, 16s. "for 32 yards of matt for the closett in the newe gallerie, at 6d. the yard."

This is the last entry which has been found in relation to the work at Rushton Hall. From the entries above quoted it would seem that work was going on in two closets, "your worship's inner closet," which may perhaps be what is now called the oratory, and the "gallery closet," which must have adjoined the Hall, as a window was opened from one to the other. But the exact localities of the operations must be left for experts to decide.

Lyveden New Bield. From the year 1594 there are entries in Levens' books of payments to Grombold, Bowghton and other free masons at Lyveden for work done there, but whether this was at the Old Building or the New it is impossible to say. One entry, however, in June, 1594—viz.: "To Tyrroll, in full payment of 8l. 15s. for working and stone for ten windows for the Lodge at Lyveden at 17s. 6d. a window"—certainly refers to the latter, as Sir Thomas always calls the New Building the Lodge, or the Garden Lodge.

In 1596, payments begin to be regularly entered to the Grombolds (it will be remembered that W. Grombold was the builder of the Rothwell Market House) "for their bargain at Lyveden." The payments averaged about five pounds a week except in

winter, when they were much less. The work being contracted for, no details are given, except for the preliminary digging, carrying or purchasing of stone.

In July, 1597, John Slynne, Sir Thomas Tresham's "keeper" and head man at Lyveden, wrote to his master as follows:—

"Sir, I thought it good to let your worshipec understande Grombouldes intention in the bringinge up of the chimbneyes in this storye. He hath begoone one in the west ende, which chimbney riseth upp in the south range windowe of the west ende of the buildinge, soe that that windowe, by the meanes of the chimbneye, will have two dark lightes. Likewise doth he purpose in the east ende, and in the south range windowe there to bringe upp the like chimbney, and in the same sort doth he purpose in the north ende to bringe up a chimbneye in the east range windowe there, soe that in all those windowes that he bringethe up the chimbneyes in, there wilbe in everye one twoe darke lightes. . . . We goe forward apace with the west square of your moate, and are now a levellinge of your moated orcharde."

For the benefit of readers who have not the opportunity of seeing Mr. Gotch's drawings, it may be stated that the plan of the New Building was a cross, the end of each arm being a large bay window. Flat windows ran down each side or "range" of the arms. It will be noticed that Slynne does not mention any chimney in the south arm, this being occupied by the staircase.

The great moat, fish pond or "stew," stood to the north-west of the New Building, rather nearer the old one.

About three months later, on October 9, Sir Thomas Tresham wrote a long letter from his prison at Ely to Slynne, which, except the letter above quoted, is the only detailed notice we have of the New Building at Lyveden or the laying out of the beautiful gardens there.

"By reason of my late ofte wryghting to you and George [Levens]," he begins, "whom I only use in my buyldyngs, or rather may be trewly termed dawbinge, botching and bunglinge, I now have in perfecte remembrance wherin behoveth that you both be directed in . . . Wherefore I thought fitt to make soome remembrance and committ yt to wryghtinge. . . . I have dyrected George how to draw the perimeter or circuytte of the garden platt wherein my garden Lodge [*i.e.* the New Building] now standeth. Within the walles ytt ys 108 yardes square, containing 324 pooles or pertches, which, of 18 foote to the poole, conteneth 18 pooles; consequently the area mesure therof ys 324 pooles, which ys 2 akers and 4 pooles. *Mem:* that the perimeter of the howse ys just 324 foote, which also makyth a poole (or pertche) in area or square mesure."

Sir Thomas goes on to direct that, in the garden, eight large "arbors" are to be made, which are to be enclosed by rails for protection while the Lodge is building. Thereby the building will be well fenced in, and the hedges will be grown up before the Lodge is finished and the garden perfected. Beyond the outermost fence a "deep alleye" is to be made, sunk three

or four foot deep, and ten or twelve broad, which "shall serve to walk round about in." On the north side of the intended garden, a straight piece of ground is to be levelled for a [bowling*?] green. This ground, which in winter has been very wet and in summer very deep in grass, must now "bee kept very shorte with offte moyne, and for avoydinge of wett must lye upon a requestt currantt [fall of the ground] that no water ther stande. The deep dyked low alley, lyinge on the south syde of itt, wyll greatly helpe ytt. Yf need bee some cross trenches and dreynes fylled with rounde cobblyng ston and covered some six ynches with good moulde agayne (as my lyke dreynes usually ar)."

There will be so much use for refuse and cobbling stones that none must be lost or wasted at the pits. All the alleys [*i.e.* walks] in the garden must be throughout laid a foot deep of stone before they are gravelled or left to grass, otherwise they will soon be miry. And by this means a third of the gravel will serve, which is hard to come by and must be "farr fetched." Besides alleys, "many other places ys to be kept drye by suche bestowyng [of] stone." All limestone of more than a year's gathering is to be used for this purpose, its goodness being impaired if dried by heat and weather, "for yt best serveth for lyme when yt hath in yt the naturall sapp and moysture." The "Tarras" (*i.e.* terrace) at Broadway wood corner is to be raised so many feet† and alleys to be made, "very convenientt both to walk in open ayre as well in soone as in shadowe, with fitt arbors, ascenttes and passages, as in the platt I wyll demonstrate."

All the stone possible is to be got, both from Pilton and Weldon, while the season serves, as by this means the building may be set in hand next spring at least a month or six weeks before the ground will allow carting, for want of which providence the building has gone slowly forward.

In like manner, jambs and other works of freestone must be ready sufficient for eight weeks' use, or else numbers of free masons must be kept in summer time "to loyter and linger out ther worke to needless charge and encumbrance many ways." Care is to be taken that the free masons who wait the winter at Lyveden do not carry away any of the stuff ready there, "as Bowghton and others lately did." In speaking of Bowghton, Sir Thomas calls to memory that he has been advertised by Slynne and old Grombold that Bowghton had bargained for doing the ledgement table or stool of the bay windows, but by reason the

* The manuscript is, in this and several other places, quite rotted away by damp.

† The number is rotted away.

building did not proceed as was then expected, there was no necessity of having the same speedily wrought, and if the agreement can be revoked, it would be well to consider further of the matter. The leaning place, ledgement table, or by what name soever it is properly to be termed, must be a foot in breadth, "seyling inwarde, as whereon to leane," and not under ten inches broad; also full six or seven inches thick, so as to be strong and convenient to lean on. But whereas it was by Grombold appointed to be of free stone, Sir Thomas thinks it better to have it of "the perfect harde ston of Pylkton [*i.e.* Pilton] pitts," as being stronger, able to carry a better polish, and of the same colour "with the residew of the courses under the seyll of the other range windowes," whereas, should it be of freestone, it will differ in colour and stone from the said other courses, "which weer a deformitye." Lastly, it can be more easily brought than the Weldon stone, and so may be wrought during the winter by Adams and the other free masons his fellows, who can at their leisure pick out the choicest stone for that purpose. "In this leaning seyll table . . . every cantt angle is to bee carried in a wholl ston and not joyneted in the angle," so that all the tabling stone of these bay windows will be in a certain form, and all the windows alike.

The next item is interesting as showing that the subterranean passage mentioned by Mr. Gotch was simply the approach to the basement door, apparently so contrived in order not to break the line of the ground round the building. As the manuscript is not damaged in this place, it may be quoted in full.

In the discentt of the greatt sinke (formerly appoyneted to fall six ynches in every ten yardes) you must have spetiall respecte to the discentt therof in the subterrene entrey which leadeth to the kechine, for wyning of a convenientt heyght of that entrey, with allowance for the thickness of the coveringe stones therof, with a competentt thikness of earthe to keepe the rayne and wett from those coveringe stones (which ells wyll sinkk through them, to the greatt annoy-
 ance of that common passage or entrie), as principally to respecte the ascentt which in the garden over that entrie yt must have from the wall of the garden . . . which ryseth with two differinge ascenttes, viz.: from the sayd garden wall to the stear-foot (on the north syde of the Lodge) five foote in ascentt, and from the stear-foote up to the howse, onely suche ascentt as ther may be hade withowte annoye to the freston freeze of scochinns. As ytt is uppon the north syde, so must yt bee on sowth syde and all th'other sydes from the garden wall up to the Lodge. My reason of wyninge that five foote ascentt from the garden fence, bee ytt wall or quikk [set hedge] ys that the height of suche fence should be ten foote high, and yett but levell with the half pace att the seyll of the porche doore and entryng into the howse, which is all one to say levell with yor foote in standinge att the porche doore; of which ten foote ascentt there ys . . . five foote in the rysinge of the steares, and th'other [five] as aforseyd betweene the steare and garden wall,"

The "frieze of scutcheons" alluded to above ran round the new building in groups of threes, separated by the basement windows, and so nearly on the level of the ground that, as Mr. Gotch remarks, "No amount of elaboration seems to have daunted Sir Thomas, or he might well have paused before resolving to have twelve dozen shields carved, all with different arms, and they so near the ground and liable to damage." (*Buildings of Sir Thos. Tresham*, p. 37.)

The rest of Sir Thomas's long letter is mostly devoted to directions concerning the garden and orchards, the staking of trees, the grafting of stocks and nuts, the planting of "arbors," &c. As to this last point, Sir Thomas says that if Slynne and Andrew cannot well manage the arbours, his sister has a gardener who was bred up under the priest (who lately died and excelled in gardening work) in Holdenby works, and that they may do well to use him, as he is accounted a very honest man.

The roses are to be increased, both damask and red, "whereby benefit may grow towards weeding charges. . . . The dropping of roses will hinder nothing growing under them, . . . perynles,* strawberries or the like."

"The little orcharde places and homstedes for Adams and Connynton's howses at Webster's close new lane" are to be set out. The birch arbour is to be renewed, and Sir Thomas remembers that one of his ditchers at Haselbyche is greatly experienced in setting of birches. "He dwelleth at Wynnikk and his name is Brownson or some such name," and he is to be sent for to Lyveden to direct the matter. One of the close walks is to be after the fashion of that walk made at Buckden when Tresham was a prisoner there "with the Bishop Wykam."

Sir Thomas "accompts" to see the bottom of the new moat, where he fears they will not find so much fry as is expected. They must provide more, and also look to the "breeding congers" both for fear of the pest, and lest, being pent in close pits, they should pair again. The ground is all to be ploughed up while it is dry, both for killing the grass and making the work easy in the spring, when the earth is so wet that the oxen do more harm with their treading than good with their ploughing. The corn-rick must be well "thakked" [*i.e.* thatched], and not threshed until Shrovetide. "The straw therof is so full of grass that tyed up kyne will eat itt as well as any heye."

* If this means perennials, it is a very early use of the word.

Finally Sir Thomas gives a long list of different sorts of apples and pears, many of which are said to be growing in Mr. Dean's orchard at Ely.

Lyveden Old Bield. No further reference to the Lyveden work is found amongst the papers for seven years. Then, in a letter dated only "this present Friday, 1604," Sir Thomas states that he intends to resume building operations there "in March come twelvemonth," which would appear to mean March, 1605-6. But as he proceeds to say that "this spring," summer and winter are to be spent in preparation for the work, he evidently means the March of the following year, *i.e.* 1604-5.

This letter is endorsed by Geo. Levens, to whom it was written, "For bargayning with masons for Lyveden House," which points to the Old Building, not to the New, as does also a reference in it to "the gallery," there being nothing in the New Building which could be so called. The pause in Sir Thomas's building operations had probably been caused by the heavy demands made on his purse in order to save his son Francis from the consequences of his folly in the Earl of Essex's insurrection.

The following is the portion of the letter relating to Lyveden :

"I wold have yow speake with Pyfforde and the free masons, Drew, Tyrroll, Gunn and the Grombolds, or with whom ells yow think good, and to tell them as of yor selfe that I intende to procede with my buyldyng at Lyffden in Marche come twelvemonth, and therfor wyll have made reddy this yeare the freeston worke therto perteninge, and wyll have so muche carryed befor wynter next as shall compleatly serve for one stoyre at the leste; that yf any of the seconde stoory shall remaine uncaryed, that the same may be fetched whyle the first stoorye ys in setting upp. Wherfor all the archytrave, freeze and corniche, togyther with the wyndow lyghtes and coynes for the first story, must be timedly wrowght and carryed; also three hundred cowrse wrowght coynes for insyde coynes must bee fyrst carryed this spryng time; yf they bee four hundred, I shall the better lyke therof; wherof halfe to bee of three foote longe and as many of two foote longe, thes to bee of stronge stoun and not of the crooposte nor cley bedded. Grombold, Gunn and Drew oweth mee for lamms. I wyll be contented to be payd by them in those rowgh coynes to bee wrought this sprynge tyme. Lett the Tyrrolls of Rushton have a hundred of those coynes to work, and Drew, Gunn and Grombold the residew. The stoun you shall fyrst see, to allow of, yff a strong ston and no yellow ston. croppost nor cley-bedded, I wyll geve them as heretofor I payd, always provyded that the coyne carry his bredd as well in ye tayll as in the hed, for I have been oftyme served with curtalled ston by them, I paying for three foote and served with not half therof by diagonal countyng. They must provyd mee caryeages at my charges . . . And as for the other free ston worke, I must have all to bee of the wonted fyne poste, ells wyll ytt not sorte with the resydew of the free ston work there alreddy sett upp, which I may not toleratt of shold I fetche my stoun five tymes further of then ys Weldon. The best post which they now have in theyr free ston pytt over the way towards the towne wyll not serve my turne, for as yt is muche cowrser so ys ytt as ytt weer worme eatten, hooled, and blakky she specked. Happly may be replied that the same wyll stand high and far from the eye, and so not to be

discerned. Therto I answer that yf I onely shold respecte from the grownd upward on the owte syde, yt might the rather be tolerated, but beyng in the greate chamber and gallerye, then the highste be as neer to the vew of the eye as any other ys,* and of all other places lest to bee admitted in these two romthes, beyng the principalest of all others. And as to the freeze and corniche withowte, I answer that yt wyll not serve for carvyng worke which I am to have in the freeze, nor wyll fyttly serve for cornish worke, in regarde ytt will nott carry so close an edge and arras, yf ytt shold bee permitted in any of those workes. The owtesyde coynes might lest of all bad endure therof. Yt wold be vewed by yow and Jhon Slynn, takyng one of the Tyrrolls with yow, what wyndowe worke is alreddy wrowght therof at Lyffden, or of my coynes for the next storie, to avoyde doble charge and worke; also look upp yor papers for pryces of all sortes and what remeneth to performe by Weldon or by Cliff masons. . . . Yf they answer that I canne not bee served of the fyne post, then wyll I bargayne at Cliff, where the ston wyll well serve, other then that ytt ys somewhat rewed, which when yt hath gotten a cruste on yt (as all free ston wyll do) yt wyll bee lyttle discerned, especeally withowte. Speake with them befor yor goyng towardes Cissiter, ells happily they may bee bespoken in Sir Jhon Stanupp's worke this sommer, and then know not I wher to have so good workmen. Ther was a free mason (a tall man) who wrowght cornishe at Lyffden. He was a good workman and verry paynfull. Jhon Slynn knoweth his name. I wold he weer in those workes for me. Do not in any wyse seeme to prevent Sir Jhon Stannup of thes masons, but to conteneue them to fynishe and performe the worke which they have alreddy wrowght and sett up; agaynst [this] no exception cane bee taken. If the Lorde Burley fell any trees in Pipwell, then I thinke to furnishe ther what I ells shold take in Bassettes Hall and Galtmeys."

The only other trace of the Lyveden work amongst these papers is a small neat diagram of the bay in the north arm of the New Building, forming the porch, with a note of its measurements.

George Levens' books contain many notices of other work going on at the same time that the various Lodges were being built. Farm buildings were erected, walls rebuilt, the gardens at Rushton levelled and drained, alleys or walks made, trees planted, and the lordship of Rushton measured. Two bridges were built or rebuilt, called sometimes the Rowell and Hawkfield, sometimes the Nether and Upper Bridges. The masons in 1597 were working at Rushton church, doing "free work" at the windows and setting up the battlements. A stable was built at the parsonage and other work done there and at the schoolhouse.

The rates of payment to the workmen per day were :—Free masons, a shilling; tilers, the same; rough masons, tenpence; labourers, sixpence; women, fourpence; and boys, threepence. Parris, the free mason who did the more elaborate carving, got one and threepence, but was often paid by piece-work. Thus, "for working the six gole end square stones att the Connegerie Lodge, as for drawyng sundry platts and workinge a payre of

* *i.e.*, not as if it were in the Hall.

arnes for the Hawkfield Lodge," his charge was six pounds. The women and the boys and girls worked at the pits, helping to break and carry stone, and also assisted the limeburner.

Placed loosely in one of Leven's books is a note by Thomas Hammond, a painter, who states that he "wrought with Sir Thomas Tressam at his chamber at Elye from Ester in the year 1597 untill St. Laurence hys day [August 10] after, which was eighteen weekes, withoute meate and drynk or coollors," for which he received 4*l.* 15*s.*; but as this would be less than 5*s.* 6*d.* a week, there was probably a considerable balance due to him. After this, he and his boy went to work at Sir Thomas' house at Rushton, "to be at his fynding, and to have for wages 9*s.* a week." But here he was paid for his materials. There are two or three bills of his for colours, &c., of which the following is a specimen:—

Fyrst, for syse	-	-	-	-	4 <i>d.</i>
It. for thred	-	-	-	-	2 <i>d.</i>
It. for four yards of narrow cloth to pece one of the clothes with	-	-	-	-	4 <i>s.</i>
It. a gallon of lyncede oyle	-	-	-	-	8 <i>s.</i>
It. a quarter of a pound of Indyko	-	-	-	-	2 <i>s.</i> 8 <i>d.</i>
It. a quarter of verdegrese	-	-	-	-	16 <i>d.</i>
It. a quarter of mastycoke	-	-	-	-	2 <i>s.</i>
It. a quarter of vermyllion	-	-	-	-	2 <i>s.</i>
It. 2 <i>lb.</i> red lead	-	-	-	-	8 <i>d.</i>
It. an ounce of lacke	-	-	-	-	20 <i>d.</i>
It. spruce okar	-	-	-	-	6 <i>d.</i>
It. for black	-	-	-	-	6 <i>d.</i>
It. Browne	-	-	-	-	4 <i>d.</i>

Another bill mentions "haulfe a boueke of gould, 12*d.*"

Finally, there is an undated petition to Sir Thomas Tresham to allow John Tyrroll to fulfil a contract for finishing the free-stone work at Metheringham Church, Lincolnshire (consumed by fire) which contract he undertook, but now excuseth himself from, on the ground of his Worship's work (p. 252).

Unfortunately, no mention whatever has been found of John Thorpe, the architect who is believed to have designed some, at any rate, of Sir Thomas Tresham's buildings.

Many curious old or local words occur in the papers in relation to building, such as "gablin," "gole," and "pyramidis" (for gable), "cant," "perpoinet" and "somers" stones, "croo-post" or "crop-post" stone, "tombing the arras," "scapling," "dresling" or "drosling," "apting" and "wallowing" stone, "teering" the walls, "sowing" (for sawing), "thakking" the walls with mortar, "shooting lath," to "parroll," in the sense of making even, "clouts" (for mending sledds), &c.

Also there are certain peculiarities in spelling which point to a corresponding pronunciation—roomth for room, theal for deal, thakk for thatch, Pylkton for Pilton, Hilkton for Hilton. The workmen are still often called by their profession, Thomas Tyler, Richard Paynter, &c.

A good many other archaic or local words also occur, as “dekk,” in the sense of part of a pack of cards (p. 21); “distie and clakke-in-can,” *i.e.* the clack-dish of a beggar (p. 23); “bartlemew-dew,” *i.e.* the first hoar-frost (p. 26); “young imps,” used for little girls (p. 31); “toyling and moyling” and “moyled and soyled,” (pp. 56, 123); “godless gogening,” apparently meaning cozening (p. 70); “coney-catchers,” for swindlers (p. 83); “Robin Hood’s pennyworths” and “petti-fogging solicitor” (p. 84); “afterdeal,” in the sense of disadvantage (p. 104); “he snuffingly departed” (p. 106); “huddled up” writings (p. 107); “damnable drifts,” *i.e.* plots, and “burreaw” for executioner (p. 125); and “dosser-headed clowns” (p. 126).

As to Sir Thomas’s own name, he invariably spelt it Tresame. Some of his correspondents put in the h, others did not. This and all other proper names are printed exactly as they appear in the documents.

Additional MSS. of Sir Thomas Barrett-Lennard, Bart.—The letters and papers now calendared are of considerably earlier date than those dealt with in *Report XI., Appendix IV.*, and, as regards their contents, may be looked upon as forming a pendant to the manuscripts of the Marquess of Drogheda (*Report IX. App. II.*), for they consist almost entirely of documents relating to the great Loftus cause, which began shortly after Wentworth’s appointment as Lord Deputy of Ireland, and lasted for nearly half a century.

For a narrative of the rise and course of the long quarrel, the reader is referred to the *Ninth Report*, above mentioned, but two or three aspects of the case are of more general interest, and demand some further notice.

The dispute was primarily in relation to the several rights of Lord Chancellor Loftus’s two sons, Sir Robert and Sir Edward, and their heirs, to the reversion of their father’s property. But

there was also involved a personal struggle between the Lord Chancellor and the Lord Deputy; a contest for the jurisdiction of the Council of Ireland, as against the supremacy of the Privy Council and Parliament of England, and a curious question as to the legal status of the English House of Lords in the time of the Civil War.

As regards the first point, when Wentworth went to Ireland he found the Lord Chancellor established as the chief personage of the Kingdom, where there can be little doubt that he had been using his power in an illegal way, by hearing and judging privately causes which ought to have gone into the Chancery in regular form (pp. 164, 170, 173). Thus, when Sir John Gifford came forward with his claims on behalf of his half-sister, Sir Robert Loftus's wife, he was probably listened to with a ready ear. The claims themselves rested upon a very feeble foundation, for they entirely depended upon verbal transactions between the Chancellor and Sir Francis Ruisshe, the lady's father, but it is note-worthy that the Council of Ireland seems to have been convinced of their justice and to have unanimously supported the Lord Deputy.

When the cause was first heard, Sir John Gifford could persuade no counsel to appear for him against the powerful Lord Chancellor, and had to obtain a special order from the Deputy in that behalf (p. 159). Lord Loftus, it must be acknowledged, paid but scant respect to the orders of Deputy and Council, went to Rathfarnham when he had been forbidden to leave Dublin (p. 161), and refused to kneel to hear the decree pronounced against him, declaring that "the Great Seal ought not to creep on knees and elbows to any subordinate person in the world" (p. 171). He also firmly refused to surrender the Seal without the King's orders, and on April 21, 1638 (not in February, as stated in the *Dictionary of National Biography*) was committed to the Castle of Dublin for contempt.

He at once appealed to the King, and although now nearly eighty years of age, prayed to be allowed to go to England to plead his cause (p. 175). The King granted his request and sent orders to the Deputy and Council accordingly, which orders produced from them a long and carefully written State Paper, declaring their "high contentment" with his Majesty's resolve to hear the matter, but praying that Lord Loftus's departure

might be delayed until he had purged his contempt of their orders, towards which he had hitherto expressed much "height and disdain" (p. 177). This was sent to England by Sir George Ratcliffe, who evidently won over the King, for a second direction was despatched, that the Chancellor should be allowed to go over, but not until he had performed the decree of the Board (p. 184).

Meanwhile, the old man's health had been suffering from the closeness of his prison, "pestered with many prisoners" (pp. 173, 190), and he had steadily refused to avail himself of the permission given him to take the air, because it was coupled with a proviso that the Constable should attend him, to which he had responded that he would never go abroad with a keeper while he lived (p. 188). His daughter, Lady Moore, petitioned the King on his behalf, but Charles had now definitely taken the other side, and even wrote objecting to the "over-much forbearance and patience" of the Deputy and Council.

At this point the Chancellor gave way, and acknowledged the authority of the Council by humbly petitioning them for licence to go over. Their answer was,—when he had performed what was required and not before (p. 191); to which he objected that to perform all they asked was utterly impossible, for having, according to their orders, surrendered his deeds for the purpose of conveying his lands to trustees, he was thereby prevented from raising the large sums of money which he was condemned to pay (pp. 192, 193). For many months the struggle went on, a long account of it being sent to Secretary Coke in 1639 (p. 196), including the relation of a wordy skirmish between Chancellor and Deputy in the Council Chamber, "in the presence of great numbers of suitors and others there attending."

On receipt of this letter, the King sent orders for Loftus's closer imprisonment (p. 200), and so rigorously were these orders carried out that even his wife was not allowed to be with him, although he pleaded earnestly for "the comfort of his so ancient and dear companion." Two of his servants were admitted to attend upon him, but only on condition that they remained in the "same close restraint" as himself; and when he was taken to the Council Chamber he was straitly forbidden to speak with any by the way.

Even his petition, just before Easter, 1639, that—"in regard there is a holy time approaching, wherein the acts of piety ever practised"—he might have the attendance of his chaplains, was refused (pp. 203, 204).

Soon after this, the state of the Chancellor's health was such that he was allowed to go to his own house, and remain a prisoner there, but in June, being "well-recovered" he was ordered back into close confinement at the Castle as before. This seems to have finally broken down the old man's resistance; he signed the deeds conveying his lands to trustees, and the order for returning him to prison was withdrawn. Lord Holland interceded on his behalf with the King, then at Berwick; Lady Moore travelled North on purpose to plead for her father, and at last Charles gave the long-desired permission for Lord Loftus's repair to England.

But the toilsome journey was taken in vain. Wentworth was already in England, and Wentworth was all powerful with the King. In November, 1639, the Chancellor's appeal was dismissed; the decree of February, 1636-7, confirmed; and the Great Seal taken from Loftus and given to Sir Richard Bolton. A year later the tables were turned. Strafford was brought to trial, and one of the articles of his impeachment was grounded upon his conduct towards Lord Chancellor Loftus. Resolutions were passed in both Houses condemning the Irish decree of 1637-8, and on May 3, 1642, it was reversed by the House of Lords. By this time, Sir Robert Loftus, his wife, and their only son Henry, were dead, and the Chancellor himself died in the following year. Sir Edward Loftus succeeded to the Viscounty, and the sole representative of the other side of the house was Anne, daughter of Sir Robert, a girl of fifteen or sixteen years of age, whose guardians were her grandmother, Lady Jephson, and her uncle, Sir John Gifford.

Mary, Lady Jephson, was the daughter of Sir Henry Duke, Muster Master in Ireland in Elizabeth's reign. Her first husband was Richard Gifford, by whom she had one son, Sir John Gifford, who inherited his father's property at Castle Jordan, in county Meath. Her second husband was Sir Francis Ruisshe, the offspring of the marriage being the three daughters whose names appear so often in these papers: Eleanor, wife of Sir Robert

Loftus; Mary, wife of Sir Charles Coote, jun., and Anne, who married Sir George Wentworth, brother of the Lord Deputy. Lastly, she appears as Lady Jephson, and her third husband must have been Sir John Jephson of Frowle, in Hampshire, as, in a letter amongst the Egmont Papers, Sir John Gifford calls Col. William Jephson his brother. She was not, however, Colonel Jephson's mother. He was the son of Sir John by his first wife, daughter and co-heiress of Sir Thomas Norrys.

At the beginning of the Rebellion in Ireland, Sir John Gifford and his mother were at Castle Jordan, "besieged and distressed by the rebels," against whom Sir John was in arms; therefore when the Loftus cause came before Parliament, they were unable to defend the interests of their ward (pp. 213, 214).

Although the decrees in favour of Sir Robert Loftus were reversed, the trustees still held the lands conveyed to them by the Lord Chancellor, and these they were called upon to "re-convey." They all agreed to do so except Sir Philip Mainwaring, who boldly refused, declaring that the trust having been placed in his hands, he had no right to surrender it. This part of the contest only ceased with Sir Philip's death in 1661.

The cause went on year after year. Although the new Lord Loftus had been victorious, he does not seem to have gained very much by the verdict in his favour, for in 1652 he was a prisoner for debt in the Upper Bench, where he had lain "twenty months." He had garrisoned Middleham Castle in Yorkshire (brought to him by his wife on their marriage) for the Parliament, and defended it at his own charges, which were so great that he had to mortgage the estate to meet them. He had lost great sums in the Irish Rebellion (140,000*l.*, according to his own account) and the yearly revenues of his estate there had gone for the maintenance of the army. And he now petitioned Parliament for relief, being in such straits that he was forced to borrow money for his mere subsistence (p. 222).

Anne Loftus, on the other hand, declared that Lord Loftus had taken everything, and that she had not even received the jewelry and other personal effects left to her by her grandfather (pp. 215, 217).

In 1651 or thereabouts, Anne married Richard Lennard (youngest son of Lord Dacre of the South), who had taken the

name of Barrett in consequence of bequests of land made to him by Lord Newburgh. She died in 1659, leaving a son, Dacre or Dacres Barrett, and three younger children.

Upon the Restoration, both sides applied to the King. Lord Loftus was the first to state his claim, representing himself as a sufferer from an unjust decree of the Irish Council, and obtaining an order from Charles II. in consequence. Richard Barrett, on behalf of his son, petitioned in his turn, and supplied the fact, omitted by Loftus, that his Majesty's father had confirmed the Irish decree, whereupon Charles cancelled his former letter and left both parties to proceed at law (p. 230).

As already mentioned, two important points were involved in this family quarrel; viz. the jurisdiction of the Council of Ireland, and the status of the English House of Lords during the Civil War. The first of these questions had been already brought into the dispute. The writer of "a brief *ex parte* Anne Loftus," dated 1650, states that although the common law of England had long been in force in Ireland, to "direct descents of land" and to determine men's titles to lands and goods, yet this common law had not free course, until late years, in many parts of Ireland; nor was it thought safe to leave the English (being few in numbers and strangers) to the mercy of Irish juries. Also, Ireland had never been long without some plantation or other, for the protection of English interests, which plantations were very distasteful to the Old Irish—as witness the frequent rebellions in that Kingdom, "where in the most peaceable times the hand was never off the hilt of the sword"—therefore, to encourage such ventures, it was requisite that the Council Board should be armed with powers more than ordinary; moreover, two thirds of Ireland had only of late become shire ground, and, without sheriffs, the common law could not be put in execution; hence the need of some other place of judicature. A statute of Henry 6 is quoted to show that the English Parliament did actually take the Council Board to be such a place of judicature, "to judge titles of land between party and party," and finally, it is urged, the Council Books showed that for a hundred years past such cases had been heard and determined by the Board, wherefore the presumption was that they had been so heard and determined ever since Ireland came under the English government (p. 217).

When these arguments were brought forward in Dacre Barrett's behalf, counsel for Lord Loftus quoted against them the passage in Coke's *Institutes* concerning the King's Council: "Private causes, lest they should hinder the public, they leave to the Justices of the King's Courts of Justice, and meddle not with them;" and the clause in Magna Carta: "that no man shall be put out of his freehold but by the law of the land," or as rendered in the statute of 37 Edward III., "by process of law" (p. 239).

William Steele, who had been Lord Chancellor of Ireland in Cromwell's time, sent an interesting "Opinion" to Richard Barrett, in which he took a middle course. He held (1) that the original decree of 1637 was ill-grounded—the Statute of 17 Car. I. expressly declaring that neither the King nor Council had any jurisdiction to determine and dispose of the lands and goods of the subjects—but (2) that this power had been so long used, and so many settlements depended upon it, that the decree would probably stand unless legally reversed, which he did not hold to have been done. This led him to the other point involved, viz.: the legality of the Lords' order of May 3, 1642. This order, he argued, was made by them "either as they were part of the legislative authority and in order to a law, or as they were a judicature constituted and allowed by law in cases of errors and appeals." If the first, then the order not being passed into a law (which was not pretended) could be of no validity unless confirmed by the Act of 12 Car. II.; and from this Act, all orders relating to "sales or estates made" were expressly excepted. If, on the other hand, the Lords proceeded as a judicature, their proceedings were not pursuant to that judicature, in regard (1) that the appeal was not from any court, but from the Lieutenant and his Council; (2) that the cause was remitted from the Commons, "in order either to a law or an impeachment"; (3) that the order was in itself contradictory, vacating the conveyances made pursuant to the decree of 1637, yet recognising the trustees under those conveyances; (4) that defendant had himself "supposed no validity in the order of the Lords" when he desired a bill in Ireland to confirm his title, and (5) that the order was made against an infant who neither appeared in person nor by guardian or counsel.

Mr. Steele's fourth point was a technical question as to the effect of the reversal of Lord Strafford's attainder upon any matters

made use of in his impeachment, and he ended his letter by some practical advice as to the course to be taken in the Chancery suit in Ireland (p. 236).

In this Chancery suit, a formidable array of the learned counsel of Ireland were engaged. For Dacre Barrett, the plaintiff, there appeared Sir Richard Reynell, afterwards Prime Serjeant and Justice of Common Pleas, Robert Shapcott, lately Solicitor-General under the Commonwealth, Standish Hartstong, afterwards Baron of Exchequer; William Beckett and John Lyndon, serjeants at law, and Messrs. Stephens, Warren and Browne.

For Lord Loftus, the defendant, were the Attorney General, Sir William Domville; the Solicitor General, Sir John Temple; Sir Audley Mervin, Prime Serjeant; Sir Nicholas Plunkett; Serjeant Osborne, and Messrs. Thomas Browne, Amherst and Shee.

There are some interesting notes of proceedings amongst these papers, giving pleadings in relation to the above-mentioned point of the validity of the decision of the House of Lords, upon which Lord Loftus rested his claim.

Barrett's counsel contended that the House, in May, 1642, was not, properly speaking, a House of Lords at all, "the hearing being after the King had been repulsed from Hull and had left the Parliament" (p. 231).

To this, counsel for Lord Loftus replied that the absence of the King from Parliament was not an objection but the reverse, and that "the appeal to the Lords was only proper in the absence of the King, for, had he been present, no such appeal would have lain" (p. 232). Also that "although his Majesty was not then in London, yet he and Parliament kept a correspondence, and they had a coherence; as in the case of Hotham his Majesty writ to the Parliament from York to punish him; and there was a bill sent for his royal assent" (p. 239). Precedents were quoted from the Parliament rolls of Edward III. and Henry V. to prove that so far from the King's absence vitiating their powers, "parliaments were called, prorogued and dissolved without the King being present personally, because he was virtually present"; the Solicitor-General declared, moreover, that there was an inherent power in the House of Lords, which power they

could not want so long as they sat; and that it could not be denied that the Long Parliament *was* a Parliament, seeing that it had been dissolved "by a particular Act" since his Majesty's restoration (p. 240).

To this, counsel for the plaintiff, Barrett, rejoined that in May, 1642, the King was not present either personally or virtually, "for none had commission under the Great Seal to represent him," and that a resolution passed in a Parliament where all the spiritual lords were absent was only an ordinance, not an Act. In support of this they quoted a passage from Coke's *Institutes*:—"I have read of a restitution in blood and lands of one William de Lasenby by the King, by the assent of the Lords Spiritual and Commons (omitting the Lords temporal); this, we hold, is an ordinance, and not an Act of Parliament" (p. 241).

On this knotty point, the Lord Chancellor of Ireland declined to give a decree, and when asked his reasons for the refusal, stated that the Court of Chancery did not think themselves competent judges of the constitution of the House of Lords or the validity of their orders (p. 244).

Another point raised was how far an Act of the Parliament in England was binding in Ireland. Lord Loftus's counsel asserted the absolute supremacy of Parliament, but Barrett's, on the other hand, affirmed that even English lawyers did not hold such an Act to be binding in Ireland, "unless it be expressly named," and that Irish lawyers did not acknowledge it to be binding at all; for the Lords of England were no Lords in Ireland, where they paid subsidies like other inferior subjects (p. 233).

Failing to get a decree in Ireland, the litigants brought their dispute to the English House of Lords.

In May, 1675, the Peers determined not to confirm the order of 1642, but to hear the cause; against which resolution a protest was entered by six members of the House, including Lords Anglesey and Shaftesbury. On Feb. 14, 1677-8, the Lords finally dismissed Dacre Barrett's petition, leaving Lord Loftus victor in the hardly-fought battle. Barrett once more resorted to the Irish Chancery, but received little encouragement there. "Very well you have been dismissed by the House of Lords," he was told, "and you would now have his Grace

meddle with it. You must do this, you must get an order from the Lords that they dismiss it to law or equity. Lord Chancellor will give no order at all now." This is the last document in direct relation to the long controversy. In 1680, Lord Loftus died.

On pp. 252, 253 are some notes of family occurrences, which, if correct, would fix the time of Anne Loftus's marriage to Richard Barrett as May 1, 1651. This is probably about the true date, but unfortunately some of the other dates in the paper are so manifestly inaccurate that no reliance can be placed upon it.

MSS. of Pelham R. Papillon, Esq.—The papers sent up by Mr. Papillon consist of a small number of valuable holograph letters, written to his ancestors, Sir Henry and Sir Walter Vane, and Edmund Dunch of Wittenham, by Charles I., the Queen of Bohemia, Oliver Cromwell and the Prince of Orange, afterwards William III. of England.

During the autumn of 1631, Sir Harry Vane, senior, was sent to negotiate a treaty with the King of Sweden, having for its object the restoration of the Rhenish Palatinate to the King of Bohemia. In the following April, when the Queen of Bohemia's letter, here printed (p. 256), was written, Sir Harry must have been at or near Frankfurt, as Elizabeth alludes to the Kurmesse or great fair there. He had evidently lately met the Queen's brother in law, Ludovic, Duke of Simmeren, of whom she remarks that she had not seen him for a long time, but that he used to be a "pretty youth." Not many months later, when her husband "the King," now with Gustavus' army, had died, this young prince became titular "Administrator" of the Palatinate and guardian of his brother's children. John Dury, the diligent worker for the union of the Protestant Princes of Northern Europe, describes him as "a zealous and godly young man, somewhat more resolute than his brother, the King of Bohemia" (*S.P. Dom.*, *Charles I.* dxxxiv. 5).

In September, 1632, the Swedish King finally declined the very inadequate terms offered to him by Charles, and the negotiations with Sir Henry Vane came to an end. King Charles was far from being annoyed with his ambassador ;

possibly he was not sorry to be freed from the necessity of sending over the 10,000*l.* a month which he had offered; for Cottington wrote to Vane that his wise and dexterous carriage had saved both the King's money and his honour, and that his Majesty was well satisfied (*S.P. Dom.*, *Charles I.* cccxiii. 86). This is fully borne out by Charles' holograph letter here calendared. "It was neither the fault of my instructions nor of your negotiating that broke it," the King assures Sir Henry; "and I am so far from laying any fault to your charge for the ill-success of it, that I esteem you more for this than if you had concluded a treaty with little difficulty" (p. 257).

The King's confidence in Vane was not altogether shared by those who were on the spot; he was thought to have been hot-headed and indiscreet, and Dury declared that he had mismanaged the whole business (*S.P. Dom.*, *Charles I.* dxxxiv. 6), but it is very unlikely that Gustavus would have agreed to Charles' terms, however cunningly presented.

The short letter from Oliver Cromwell (p. 257) was written to his cousin, Edmund Dunch, of Lower Wittenham, Berkshire, whose mother was Mary Cromwell, youngest sister of the Protector's father. This Edmund Dunch married the daughter and heiress of Sir Anthony Hungerford, of Down Ampney, in Gloucestershire, and was one of "Cromwell's Lords" in a double sense, for the Protector made him a peer under the title of Baron Burnell, a title belonging to his wife's ancestors. The author of a pamphlet which appeared soon after the Restoration says of him "He was the husband of that fine Mrs. Dunch; was a great favourite with the Protector, and had a patent to be lord of the Lord knows what."^{*} He was connected with Cromwell in another way, for his son John and Cromwell's eldest son Richard married sisters, the daughters of Richard Mayor of Hursley; and to this John Dunch we owe the preservation of many of Cromwell's letters.

The two other letters here printed (p. 258), were written by William of Orange to Sir Walter Vane, youngest son of Sir Henry, senior, who had served in Holland in his youth, and had been made colonel of the Dutch Brigade. He resigned the command in 1673, but in 1674 went over again to join the

* *Mysteries of the Good Old Cause*, 1660.

Prince of Orange, and was killed at the battle of Seneff in the following August. The Prince's letters were written shortly before Vane's departure from England, to express his pleasure at the prospect of his friend's return and to assure him that the unhappy war between their countries had made no difference in his affection.

The only other document sent up by Mr. Papillon is a certificate in favour of Thomas Papillon, dated Dec. 9, 1662. The writer, Sir Thomas Chamberlain, states that he has known Thomas Papillon for twenty-five years, during thirteen of which the said Thomas lived with him as "apprentice and agent"; that he "hath constantly, upon all occasions, manifested a cordial and loyal affection" to the late King, and that "for his endeavours to have restored his said most sacred Majesty" he was committed to Newgate in Feb., 1647-8, and only set free upon bond being given for a very large sum (p. 257). The order for the committal to Newgate of "—— Papilian" is entered in *Commons Journals* under date of Feb. 2, 1647-8. No reason is given, but just above is the order for Col. Midhope and Edward Peasley to be sent to Newgate, and Rushworth states that these two were committed because they were "very active in raising of forces here [*i.e.* in London] against the army and kingdom" (*Collections*, vii. 985). Under the same date in *Commons Journals* is a general order that all the "aiders and abettors of the late force upon both Houses of Parliament on the 26th of July last" shall be examined and tried by the Judges," and there is little doubt that all the committals were for assistance given to the rioters on that occasion. This appears the more probable as in 1647 Thomas Papillon would still be "apprentice or agent" to Chamberlain, and the apprentices of London played the chief part in the riot.

On July 21st they met, with many others, in Skinners' Hall and there took "a solemn vow and engagement . . . to bring home the King" (*Rushworth to Lord Fairfax*, Bell's *Memorials of the Civil War* i. 380). A few days later, on the 26th, they besieged the Parliament, held down the Speaker in his chair, and forced the Commons to pass a vote to invite the King to London. They also forced Parliament to give way as regards the control of the city militia, and probably their own affairs were foremost in

their minds,* but as time went on, no doubt they would come to believe that their "sufferings" were entirely for "King Charles First and Martyr of Blessed Memory."

Thomas Papillon rose to be an eminent London citizen, was appointed a contractor for victualling the Navy in December, 1671, and represented Dover in the Parliament of 1673, gaining the victory over Sir Edward Spragg, who was returned "by another indenture," but whose claim was disallowed by Parliament. Papillon sat for Dover until he was elected for London in 1695. He was still member for the city in 1699, but in 1700 had either retired or was dead. As Victualler of the Navy he had his share of the abuse which, rightly or wrongly, was poured upon the contractors of that day; and in 1673, Prince Rupert, exasperated by their delays, wrote to Arlington that there was nothing to be done with them but to send either Mr. Papillon or his colleague on board one of the ships, and there hold them fast until they completed the victualling of the whole fleet (*Cal. S.P. Dom.*, 1673, p. 384).

W. Cleverly Alexander, Esq.—The last document in this Report is a long letter written by John Noy or Noies, M.P. for Calne, to his wife, in June, 1610, containing a description of the ceremonies and festivities which attended the creation of Prince Henry, eldest son of James I., as Prince of Wales. There are many accounts of this in existence (the pamphlet issued immediately afterwards has been reprinted in *Somers' Tracts* and in Nicholl's *Progresses of James I.*; there is a manuscript account amongst the State Papers, which is almost identical with one printed by Howes in his continuation of Stow's *Chronicles*; a long letter in Winwood's *Memorials*, an account in Camden, &c.) but there are some points here not found elsewhere, and the narrative is a very graphic one. The writer states, correctly, that the ceremony of creation took place in the Court of Requests. "The White Hall, commonly now called the Court of Requests, was for that day appointed the Parliament house for both Houses" (Camden). The Upper House sat upon "red wool sacks," as the manner was; a bar ran across the room, behind which were gathered the Commons, also seated, and special places were provided for the

* See Gardiner's *Great Civil War*, iii., 335.

ambassadors, the Lord Mayor and his brethren, and the "little sons" of the nobility. The peers in their robes; the city functionaries in their "red scarlet" gowns; the bishops in "white rich apparel with silk rochets about their necks of changeable colours"; the judges and barons of Exchequer in red robes "with very costly and rich furniture," and the "little sons" in doublets and hose of changeable silks, with silk hats and feathers of divers colours, made a brave show; and many of the knights of the Lower House were so sumptuously arrayed that Noye "felt like a crow in the midst of a great 'manie' of golden feathered doves." As to the costumes of the ladies, he declares that if he attempted to describe them, he "should be as foolish as they were vain" and therefore will only say that they were "unspeakable brave and intolerable curious."

In a "room" raised up at the end of the hall sat the little Prince Charles, Princess Elizabeth, and the Lady Arabella Stuart, lately restored to the Royal favour, but now about to lose it for ever. She was, indeed, actually married to Lord William Seymour, although the fact had not yet come to the ears of the King.

The description of the ceremony itself contains nothing not found elsewhere, excepting that the Prince had to kneel in front of the King "for the space of a quarter of an hour"; the reading of the letters patents occupying that time. When all was over, "the trumpeters and drum players blew their trumpets and strake up their drums with a very pleasant noise . . . and so finished the creation of the Prince with a very joyful and solemn applause."

The Masques at Court upon the next day are passed over with a word or two, but there is a rather detailed account of the tilting and fanciful devices of the third day, although the writer was not present, for fear of hurting himself, as he candidly avows; "setting more" by his own safety than "by all the pomp and glory in the world." The three nobles who most distinguished themselves at the tilting were the Duke of Lenox, the Earl of Arundel and Lord North, "who never missed to break their staffs one upon another most courageously"; but of all the noblemen it was thought that Lord Compton "was at twice as much charges as any of the rest." There is a fantastic account of his having built a sort of sheep-cote on the wall, where he sat dressed as a shepherd, with emblems of his calling round him. What the moral was, Noye could not tell, unless it signified that his

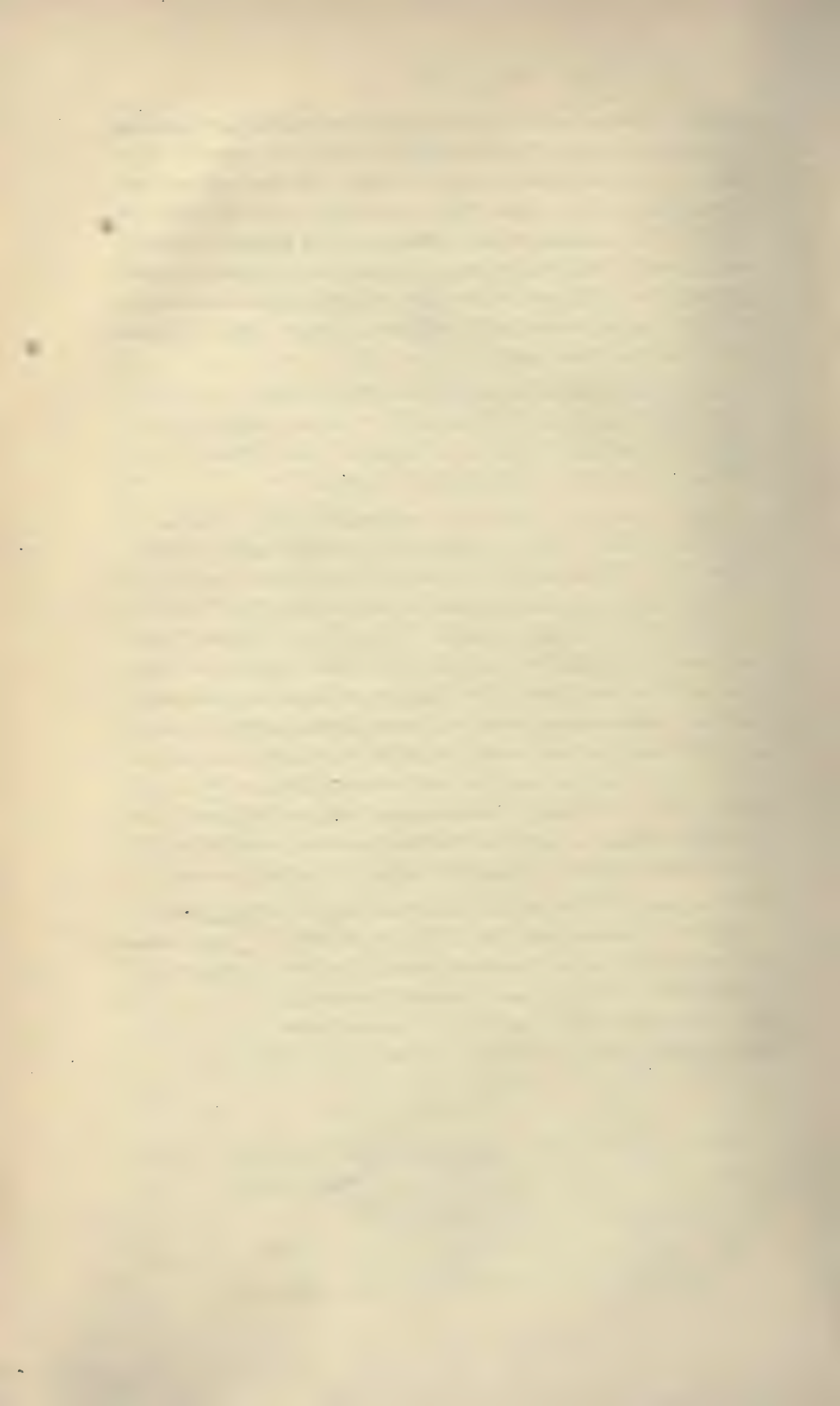
Lordship's father-in-law "was a great sheep-master, and that he fared much the better for the weighty fleeces of his sheep." The father-in-law in question was Sir John Spencer, reputed the richest citizen of his time. He had lately died, leaving such wealth to his daughter that, according to the gossip of the day, her husband's brain was turned by it, and for a season he quite lost his wits. If quaint devices had not been so much the fashion, one might almost see in Lord Compton's doings at the Tilt Yard a confirmation of the report.

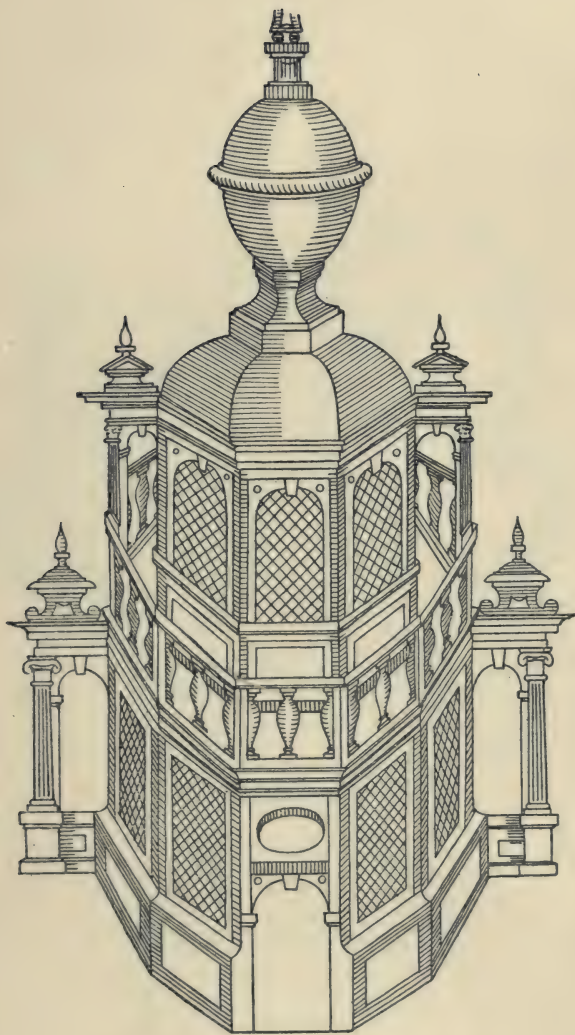
Sir Thomas Tresham alludes to Sir John Spencer (in a letter to his wife, written in Nov., 1594), as "our new elected mayor, Alderman Spencer, a sparer, no spender, who offereth forty thousand pounds with his daughter" (p. 85).

Another feature of the day's amusement was a "pageant" (the word is used in its old sense of a moveable stage or scaffold) in the shape of a cloud, which showered forth water and fire as it passed along, and, coming near the King, opened and disclosed many persons in costly apparel. Then Lord Compton came down from his sheep-cote and joined the tilters, showing so much courage that he pleased the King more than any nobleman besides. In the evening there was a mock fight upon the Thames, at which fireworks were sent up, made so cunningly that they did "mount and flee up into the air twice as high as St. Paul's tower, and . . . stream down again as long as bell-ropes, and the fires did seem to fight and skirmish one with another in the skies; which was very pleasant to behold in the dark evening."

At the end of the letter is a memorandum of certain matters headed "directions from the King, 18 of July." These were probably given to the Commons when they were summoned to attend him on that day (see *Commons' Journals* under date); but they do not include any of the great points under debate in the struggle then going on between the King and his Parliament.

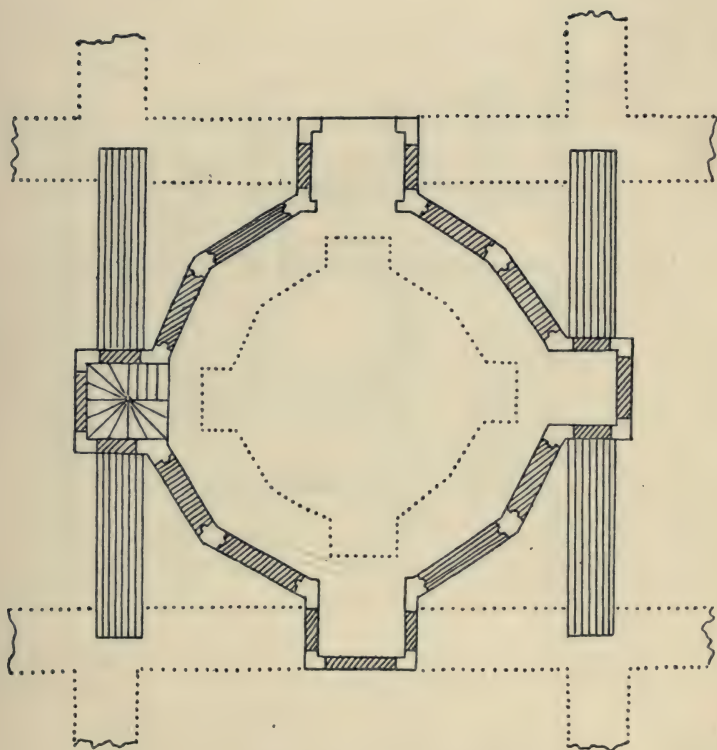
This Report has been prepared and the Introduction written by Mrs. S. C. Lomas. The index has been compiled by Mr. A. E. Stamp, of the Public Record Office.





THE HAWKFIELD LODGE (*see* p. xlvi).





GROUND PLAN.





THE TRESHAM PAPERS

BELONGING TO

T. B. CLARKE-THORNHILL, ESQ.,
OF RUSHTON HALL, NORTHANTS.

ISABELL TRESHAM.

1451, October 22. Sywell.—“The Awarde of William Vaus squier, and Mayster Thomas Salesbury clerke, Arbitrors indifferently chosen betwene Isabell late the wyfe of William Tresham And Thomas Tresham squier, son and here of the same William Tresham and Isabell, as for playne satisfaccion to the same Isabell of the some of 1,000 marcs for all maner goodes, catetelles and divers mevables to hyr be the seyde Willyam in eny wyse longyng, made at Sywell the xxij day of October the yere of the regne of kyng Herry the vj^{te}. aftur the conquest xxx^{te}. ”

The award sets forth that the said Isabel hath received and is content of the value of certain given sums in goods and jewels, in money appointed for the marriage of Ric. Tresham, in the price of certain muttons to her delivered, in sacks of wool, in corn and in plate of silver, some gilt and some white. Also in certain sums of money “to be contente by certain persones aftur specified chosen by the seyde Isabell, that ys to sey of (*sic*) Thomas Wake shirefe of the shyer of Northampton of suche duete as ys due to the sayde William Tresham for hys knyghtes spences as for the same shier And of Robert Tanfelde for duete owyng to the same Willyam as well of hys owne duete as for the duete of Thomas Taylor of Burton werfore the same Robert bycame borow [i.e. surety] And of Warroks late of Northampton of suche duete as he oweth to the seyde William. And in case the seyde Robert Tanfelde shewe any lawful cawse of discharge . . . then the seyde Isabell to be contente at her eleccion of the dettes of the seyde William due by oure soverain lorde the kyng by Thomas Clypsham, syr William Trussell knyght, Eustace Burneby and Croston receiver to the Lords Lovell” according to a bill formerly made by the same Isabell. “Also the seyde Isabell hath receyvyd beddyng, costeryng,* a masboke and a chalice.” *One sheet, indented, three seals.*

* Hangings, properly the side hangings, of a bed.

[1451] 30 Herry VI., October 26.—Acknowledgment that Isabell, late the wife of William Tressham, squire, has received of Thomas Tressham and Thomas Merton, *xxli. vjs. viiijd.* in part payment of *lvj* marks for wool and corn. *Scrap of parchment, indented. Sealed.*

THOMAS TRESAME* to LADY ———.

1576, December 28. Rushton.—A long letter of thanks for kindness shown to his brother, "who of himself is unable to wade through the thwarts and storms in court," but whose fortune—or rather the direction of hers—will now permit him happily to continue what he has begun, being shrouded under her safe conduct, and having the sound and provident advice of so dear a patroness. To pray her to continue her zeal and kindly care is needless, and "as the poet well warneth that in hasty pursuit, too fast spurring causeth the speed to be the slower," he humbly commits her to God's good keeping, and with duty to his good lord, her husband, takes his leave. 3 pp. *Draft.*

EDWARD DALLYSON.

[1576-7], 19 Eliz., March 17.—Bond of Edward Dallyson of Orlingberie, co. Northampton, gent., to Thomas Leylam of Brixworth in the same county, in twenty marks, conditioned for the payment of 8*l.* 8*s.* on the 1st of May next. *Signed and sealed.*
½ p.

ROTHWELL CROSS.

1578, July 2.—"A note of a bargain for certain works to be done at Rothwell Cross by W. Grombalde." The agreement [which evidently relates to the market or sessions house built by Sir Thomas at Rothwell, *vide* Gotch's *Buildings of Sir T. Tresham*] stipulates that Grombald shall erect a "house" with seven arches, seven windows of various sizes, seven "gablins, with seven beasts of a full yard high or better, holding a scutcheon of arms," and a chimney six feet wide. There are to be three "pair of arms with the crest, helmet and mantling . . . large and very fair done" to be set under the east and west windows, and on the north side under the porch window; also "fifty scutcheons with arms embossed upon them that must stand round about the house of the inside with an architrave under and a cornice over them." The stone is to be found for him, and the lime, sand, scaffold, timber and other things necessary for the work are to be provided at the charge of the inhabitants of Rothwell. The work is to be finished by St. Michael's Day, and the sum of 60*l.* is to be paid for it, at the rate of 15*l.* per month. Signed by Sir Thomas Tresame and William Grombald.†
1 p. Also draft of the same.

* Knighted in 1577.

† See Introduction, p. xxxiii.

THE BISHOP OF LONDON AND MR. MERBURY.

1578, December 5.—“The conference between me and the Bishop of L[ondon], in the presence of Sir [Owen] Hopton,* Dr. Lewys, Mr. Recorder and Archdeacon Mullins, High Comissioners, in the consistory of Pawles, the 5th of December last past, 1578, much people standing by.

B[ishop]. Merbury, where were you since your last enlargement?

Merbury. At Northampton.

B. That was the place where you were specially forbidden to go, for there you did all the harm.

M. I neither was nor may be rightfully inhibited the place, neither had I done harm but I trust good.

B. As you say, Sir.

M. Not so, but I refer me to the judgment of God's church there.

B. The last time you found more favour than you deserved, and more than possibly you shall find hereafter, and yet you vaunted that you had rattled up the bishop of Peterborough and so you would me.

M. Sir, if your ears be open to every sycophant you shall have such slanders enough, but for proof bring forth mine accuser, for if bare words will serve you may as well accuse me of high treason.

B. Well, Sir, you are come; what have you to say to my Lord of Peterborough or to me?

M. Nothing but God save you both.

B. Nothing! why you were wont to bark much of dumb dogs, are you weary of your part?

M. I came not to accuse but to defend, but because you urge me for advantage, I say that the bishops of L[ondon] and Peter[borough] and all the bishops of England are guilty of the death of as many souls as have perished by the ignorance of the ministers of their making whom they knew to be unable.

B. Whom such have I made?

M. I accuse you not particularly because I know not your estate, if you have you shall bear your condemnation.

B. Thy proposition is false, if it were in Cambridge it would be hissed out of the schools.

M. Then you had need to 'here' [?hire] hissers.

B. If I finding one well qualified with learning admit him and he after play the truant and become ignorant and by his ignorance slay souls, am I guilty of their death?

M. This is another question. I distinguish. I speak of them that were never able.

B. Distinguish! thou knowest not a distinction, what is a distin[ction]?

M. It is a severing of things which seem to be the same.

B. Nay, that is a difference.

* Lieutenant of the Tower.

M. *Differunt quæ non sunt ambiguae* ; but we distinguish those things only which are ambiguous. As you differ not from the bishop of L[ondon] but I may distinguish between you and the bishop of L[ondon] because you remain a man without the bishopric.

B. Here is a tale of a tub ; how many predicaments be there ?

M. I answer you according to your question, if I say there are enow of seven, for why do you ask me questions so impertinent.

B. How many predicables be there, where did thou learn thy logic ?

M. The last time you spoke much of το πρωτον but this is το παρεργον.* I am no logician.

Recorder. Merbury, use my Lord more reverently, he is a peer of the realm. I perceive your words are puffed up with pride.

M. Sir, I speak but the truth to him. I reverence him so far as he is reverend and I pray God to teach him to die.

B. Thou speakest of making of ministers. The bishop of Peterborough was never more overseen in his life, than when he admitted thee to be a preacher in Northampton.

M. Like enough in some sense, I pray God those scales may fall from his eyes.

B. Thou art a very ass, thou art mad, thou art courageous, nay thou art impudent, by my truth I think he be mad, he cared for nobody.

M. Sir, I take exceptions against swearing judges, I praise God I am not mad but sorry to see you out of temper.

B. Did you ever hear one more impudent ?

M. It is not I trust impudence to answer for myself.

B. Nay, I know that thou art courageous, thou art foolhardy.

M. Though I fear not you yet I fear the Lord.

Recorder. Is he learned ?

B. Learned ! he hath an arrogant spirit, he can scarce construe Cato I think.

M. Sir, you do not punish me because I am unlearned, how be it I understand both the Greek and Latin tongues, assay me to disapprove or disgrace me.

B. Thou takest upon thee to be a preacher but there is nothing in thee ; thou art a very ass, an idiot and a fool.

M. I humbly beseech you, Sir, have more patience, give this people better example. I am that I am through the Lord, I submit the trial of my sufficiency to the judgment of the learned. But this wandering speech is not logical.

Sir Owen Hopton. Mr. Merbury, how prove you all the B[ishops] of England to be guilty of the death of as many souls as have perished by ignorancy of unable ministers which they have made.

M. If it please your worship, if they order unable and unmeet ministers they give imposition of hands over hastily to those men which, too, the apostle saith, is to be partakers of other men sins.

* The Greek is given as written, without accents,

[B. The] Greek word *Τακως* importeth nothing but the examination of their lives.

M. [It] is general enough to conclude both for it is set down before in the epistle as a positive law. A Bishop, which word was then more general, must be apt to teach. If he be not so approved to your consciences, this is *Κοινωνει των αμαρτιαν* (*sic*), after the apostle, to communicate with his sins in those respects.

B. What sins are those I pray you?

M. Soul murdering.

B. How provest thou that?

M. They are in a manner the words of the prophet, [*Margin*, Hosea iv., 6], my people are destroyed for lack of knowledge, but who should teach them knowledge?

B. Have they not the homilies and the catechism. That is more than they will learn, me thinketh.

M. Yea, or their parish priest either to any purpose in many places.

B. Why then, by like, they by thy saying have too much of it already.

M. And too little of the other.

B. What other?

M. I mean preaching. What can an ignorant minister see more in those things than a book learned poor. . . . (*Imperfect.*)

THOMAS POUNDE.

1580, September.—Correspondence, &c. of Thomas Pounce, prisoner in the Marshalsea, during this month. With one exception there are copies of these documents amongst the State Papers at the Public Record Office (S.P. Dom. Eliz. : CXLII., 20), from which they were printed in Foley's *Jesuits in Conflict*, p. 102 *et seq.* The documents are as follows:

Sept. 7. "Six reasons set down to show that it is no orderly way in controversies of faith to appeal to be tried only by scripture" &c. *Ends* "Hoc est fides mea, quia est catholica."

Sept. 8. Thomas Pounce to Mr. Tripp. *Begins* "Forasmuch Sir as at my request to you yesterday and to Mr. Crowlye, if he* be worth the naming."

Sept. 8.† Thomas Pounce to the Lords of the Privy Council, on behalf of all the Catholics in England. *Begins* "Right honourable, whereas our Catholic prelates and pastors are and long have been either in prison, put to silence, or else in banishment."—[*A challenge for a public disputation, worded much like that which Campion had written and given into Pounce's care.*]

* This copy appears to be more accurate than that amongst the State Papers, which here has "if ye be worth." Also, in the latter copy, on p. 2, "feel your confidence" should be "seal your confidence" and "as before I require you" should read "as before God I require you."

† Dated Sept. 10 in the S.P. copy, but this must be a mistake, as it was enclosed in the letter to Tripp.

September 12. Marshalsea.—Thomas Pounce's "Farewell to all good folks at his removing, with a special petition". Being now dearly beloved to be removed further from you, God knoweth to what desolation, which I thank Him for it, is least of my fear, such is our comfort in suffering for God and His truth, behold yet God's sweet disposing, what occasion He hath given me at my last parting to commend myself to your memories, for a means to make you remember me in all your prayers, as I will not forget you again. You see by these three particulars, first, by my brief defence against our close conferrers in this one question, to knit up all in one knot, and cut them off with a short hatchet; secondly, by my letter next day to Mr. Tripp, being their lecture reader at 'Powles,' and the best of the two that came to trouble us; thirdly by the general supplication this (*sic*) sent unto his hands to be put in all our names; you see I say by all these contents in what state I stand. Some peril peradventure it may put me in, but being as I have said in the zeal of souls, for victory of truth, which to death we oft [?ought] to strive for, and for all of our nation, yea for our enemies' salvation, as well as for the comfort and credit of all God's afflicted, whose misery are like to be more and more pitiful as they are already, God's will be done, into whose holy hands I resign myself. Perchance I might have found as good friends in Court for saving my skin whole, as another, if [I] would seek my own ease and hold my tongue, in these causes of higher merit. But I cannot endure the sight of this treachery against God and His people, the fire you see is kindled already which they say shall consume us, and nothing as I think is likely so soon to quench it as water and blood, if the Holy Comforter assist us and accept us to it. God asketh no more of us but our hearts, with good will and love to Him prepared. If we be ready to yield Him such a sacrifice, rather than to disobey Him, perchance His holy angel shall stay the hands lifted up against us, and take the tuppe [ram] whose head is tied in the bramble bush to make him yield his neck and quarters to his stroke to save ours. Proud Aman you know suddenly trussed up even upon his own tree; if we persevere in fasting and prayer, in fervency of faith and fruitful charity joined [to] all, my life for yours, the field is ours. I cannot better exhort you then in St. Pawles own words, stand in your faith, play the man and be of good courage, in so courageous a cause, whereby perpetual glory is to be won both in earth and in heaven, with life everlasting; our suffering shall be but short, but the bliss in the kingdom which we shall come to shall have no end. If any man need to fear, I might most of all which have somewhat farther gone, and am deeper now in their wrath, than the common sort, and yet if I have a good hope of the love of God to comfort me, what can discomfort me; did not Christ Himself, and St. John Baptist, and all the holiest of God die for truth. O wor[ms?] meat that we are, what seek we to save with loss of heaven, how happy we were so to be excepted to surety of salvation, this for all your comfort.

* This is not with the other copies in S.P. Dom., Eliz. CXLII.

Now for mine own comfort, in no great matter, by your means again, I am to move you all in a petition, and thus it is, you see it is wisdom for me to be ready for the worst, and debt you know is a heavy burden for one in my peril, being therefore as God is the witness by long imprisonment and by treachery of some hypocrites and false brethren, above a hundred pounds in debt, I am to pray of all men to whose sight these particulars shall come, if there may be any comfort unto them, but one mite as it were of xij*l*. I say but xij*l*. of every man's charitable benevolence towards my redemption out of that misery, by such small helps of many wellwillers' hands to make light work of a heavy burden. God is the witness I have seldom denied in all my life far greater helps of my purse than this to any in their need. I hope I boast not of it, but that it should be no shame unto myself nor scandal to any good man to hear me to be a little thus in the lurch, to the grief of my conscience, in thus my present case, although the means of such arrearages growing upon me hath been more by the much pitying perchance of some counterfeits, of whom the world is full, than by any great charges of my own life, as I think I might have witnesses enough if need were. Hereafter I hope I shall learn me wisdom of the serpent, which perchance yet as the time now frameth may be in no great trial, otherwise but in saving my faith whole, if God strengthen me to it, which is my head, whatsoever become of my body. Thus request I make to all good catholics of ability as well strangers as others far or near, beseeching them if they will vouchsafe to grant it me, to send it by some or other well known to themselves, as soon they please, to my debiture in trust for this receipt or to his deputy not far from him in his restraint, at my chamber that was of late at the Marshalsea, being well known to most catholics, praying all good priests especially to be solicitious for me in this behalf of their charity, and if this aid of good folks should amount to any more than for clearing of my said debts in this my peril, I promise them before God, and so shall my betters in my behalf, to see it employed or distributed for them as meritoriously as I or any of my friends by any charity or policy may devise, so that their adventure shall not be great in granting my request; but I hope they will be far from grudging at so small a matter, knowing that God loveth a glad giver, to whom I commend you all in a sinner's daily prayers. At my last setting forward to the Island as it were of Sardinia, some what farther off from London, but never a whit farther from heaven, whereof I hope no drifts of men shall disinherit us.—At the Marchalsie the xth day of September, 1580. Your servant in prayer and fellow in affliction. Tho.^oP. 3 pp.

Sept. 12. Henry Tripp to Thomas Pounce. In answer to his of the 8th. Retorts on a "pleasant allusion" to his name by declaring that all his adversary's six reasons "weigh not one pound," and professes his willingness to prefer the petition to the Council; but thinks it should have more names than Mr. Pounce's own to it, lest he might seem to have done it of his own head only.

Sept. 14. Thomas Pounce "to Mr. Tripp again." Answer to the above. Warns him "by the words of the Holy Ghost whose cause it is *statea justa et æqua sint pondera*.

"Let balance be true and weight upright
And then I say, God speed the right."

Sept. 14. The Catholics to the Superintendent [*i.e.* the Bishop] of London.

Praying him to prefer their petition for a conference up to the Council, and to her Majesty's own sight.

With a postscript by Pound (*not in the State Papers copy*) beseeching a few days respite, to close his debts, which he hopes is but a christian-like request.

CONFERENCE at the TOWER.

1581, August 31.—"The effect of suche speaches, argumentes and discourses as were had bie Mr. Nowell, Mr. Daye and other Protestants with Mr. Campion, Jesuet, and other seminarie preists in the audience of some honourable other worshipfull and many common persons in the parishe church of the Tower of London the 31st of August.*"

(*Margin.* Note at the entree everie Protestant had one of Mr. Campion's bookes [the *Decem Rationes*] in his hande.)

First Mr. Nowell (as it might seeme of modestie) signified to the assemblie, that it was Mr. Daie his pleasure (though willinglie he woulde have geven place) that hee shoulde declare the cause of their meetinge, and enter the conflict with Mr. Campion, which he did in a prepared preamble conteyning this sence.

1. First for that Mr. Campion had made an impudent challenge provoking them all to disputacion in matters of religion, therefore and for that cause they were come to deale with him, and because hee shoulde not excuse himself that he was unprovided they were not to discusse in no other thinges than he had sett downe in his Latten booke intituled To the twoe Universities.

2. Secondlie that most shamefullie hee charged them of owteragious crueltie, whereas many thousandes of his coate had been roysted, and so fewe of the contrarie touched withe deathe for the profession of their religion.

3. Thirdlie he redd wordes owte of Mr. Campion's booke bearinge this teanor: What moved Martin Luther that flagitious apostate to judge the catholike epistle of St. James to bee a swellinge and a strawie epistle, &c.

Mr. Campion when he supposed that his adversarie had said, he addressed him selfe to answeere the former poyntes in manner followinge.

1. Unto the fyrst breeflie hee answered that in his booke hee gave the causes whie hee so provoked his adversaries, addinge moreover that it was not equall dealinge on the suddaine, beinge destitute of all the helpes wherewith hee made his booke, to

* See note at the end of the paper.

require of him an accompt of everie perticuler therein conteyned, albeit hee willed them to proceade, for that hee would stande in defence of the same, though pressed and overcharged withe suche to toe much disadvantage.

2. Unto the seconde, he saide what was done before our time by them of that time was to be answered and justyfyed before God yet never did they racke or practize that hellishe torture against men, as they doe nowe, which racke (quoth he) is farr worse then manye deathes.

Replie. Then it was replied bye Sir Owen Hopton Lieutenant, howe that he was scarce pinched and that it mighte rather bee tearmed a crampinge than rackinge.

Catholiques. Whereunto Mr. Campion said thereof hee himselve colde best report and bee most truest judge, because he felt the smart, and so did not hee, addinge that his speeche was generall of others who were handled with greater rygour than hee him self had bin.

Here it was saide that his compaignions and hee were so used for matters of state and not for religion.

Let any man (quoth Mr. Campion) within this realme charge me with woorde or fact but concerninge conscience and religion, and I yelde toe determinacion, whereunto was made no answeare, and then he shewed that his punishment was for that hee would not bewraie the places and persons with home he had conversed and dealt with as concerninge the Catholike cause, alleaginge an example of primityve Christians, whoe choose rather to abide merterdome than that they wold yelde up the bookes which Catholik pastures [pastors] had geven and distributed amonge them, (much more said hee, I ought to suffer anything, rather than to betraie the bodies of those that mynistred necessities to supplie my lacke).

This beinge donne and sundrie other odd and bie speeches one bothe partes uttered, Mr. Nowell stopped and commaunded silence from any lenger speeche, callinge him the said Mr. Campion as I remember (*gloriosissimum thrasonem*) with suche other like tearmes of heate and choller, and spake this for his parte to Mr. Campion.

Nowell. Sir, this is the point you doe belie Martin Luther, for he hath not the woordes wherwith you charge him, as that he called St. James epistle *tumidam et stramineam*, and hee broughte in Mertin Luthers text, wherein it was not to bee founde, adding with many tearmes of asseveracion that it was in no addicion to be founde in London neither the Dutche or other edycion and therefore hee said to Mr. Campion withe theise words in latten *impudentissime mentiris*, thou dost lie most shamefullie and impudentlie, which terme was thoughte of modest and charitable men verie evell to become a gospeller's mouthe. [*Margin.* This was done with charitie.]

Campion. Whereunto Mr. Campion made this answeare, first that he did reade the very text withe those woordes cyted and refuted by Doctor Laye and moreover unto the bookes broughte than in place, he said they weare suche as Lutherr's schollers

and favorers after his deathe, ashamed of his shameles errours, had pruned and purged, leavinge owte many thinges which hee lefte in writinge, last of all he said (if he might be lycensed) he would procure from the Emperour, the Duke of Evare [Bavaria], as I thinke [*Margin.* Theise he termed to be the greatest states in the world, which was evel taken,] and other potentates of Jermanye, Luther's owne coppie, with those verie wordes, to bee sent to her Majestie [*Margin.* Here Mr. Baile, clerke of the Councell, wold have had Mr. Campion sworne that he had redd the same,], and here Mr. Campion desired them to suspend their judgment untill such time as triall colde be made of that infallible truthe wherwith his adversaries so muche pressed him, callinge to his fellowe preistes then present for testimony wheather they had in Catholique writers of greatest credit read the same, which with words they affirmed justifyinge his assartion. Hearupon Luthers bookes *De captivitate babilonica* were broughte, wherin Mr. Campion redd much to this ende and sence, viz.: many do afferme probable that the epistle of St. James is unworthie of the apostolicall spiritt, wherupon hee inferred that Luther leaned to those as bie his words were proved, which justlie other than bie cavelinge could not be excused from blasphemye.

Contraries. Then his contraries in Luthers behalfe said that he did no more than the auncient fathers eleven hundred years before had donne namelie Eusebius, whoe tearmed it a bastarde epistle, and that by many it was called in dowe even from the appostles time.

Campion. Mr. Campion answered that Eusebius did not so terme it by gevinge his owne judgment of it, but bie some it was so taken, yet never universallie dowbted of or rejected; moreover, that untill it was determyned by common consent of the mysticall bodie of Christ, that is his church, beinge the lyvinge judge, it was not offensive to make doubt thereof, but after that it was so declared to be canonicall, that it was blasphemye for Luther or any of them to doubt thereof.

Contraries. Then did the Protestantes alleage two epistles of St. Jerome, especiallie his *Prologus Galcatus* sett before all bibles, wherin the bookes of Machabies were left owte of the cannon as also other, and accompted Ipocrifall, to this also they added the witnes of a cardinall called Caietane whoe taughte that as concerninge bookes of the scripture and the cannon thereof that it was to be measured bie that which St. Jerome had lefte as concerninge the same.

Catholiques. Unto this the Catholiques answered, fyrst unto St. Jerome that in his prologue he onlie wrott of the bookes of tholde Testament wherfore it nothinge made against the epistle of St. James. Secondlie that true it was that hee lefte owte of the cannon the bookes of the Machabies and others, but that was onlie owte of the cannon of the Jues, not their excludinge them owte of the cannon of the church, which they proved by th'authority of St. Augustine whoe florished at the same time, whoe in his booke *De Civitate Dei* expresslie writethe this that the Jues receive not the Mackabies in their cannon, but that the

churche dothe, whiche they conformed againe out of the same Doctor, whoe in his booke *De Doctrina Christiana*, repeatethe all the bookes of the canonicall scripture wherin he resistethe (sic) bothe the Machabies with the epistle of St. James with others whiche in our daies have bin called againe in doubt, to this also they added the authoritie of the thirde councill kept at Carthage wheare bie consent of many holie bishoppes they weare declared to be canonicall scripture, moreover that this universall councill was conformed by the generall councill holden in Trullo, and therefore after suche great judgment givene bie the wholl churche, to doubt of those bookes was no lesse than blasphemie. Unto the Cardinal Caietane it was answered he was but one man against whome they mighte oppose the wholl councill of Trent defyninge theise bookes to be canonicall as their forfathers had done.

Contraries. Heare the protestants labored to shifte of the matter withe a distinction, sayinge, that cannon was to be taken æquivocallie and that St. Augustine woulde have them in the cannon, as owte of which bookes doctrine for reformation of manners might be taken but not arguments for prooffe of matters of faithe, and to shewe that this worde canonicall mighte be taken æquivocallie they alleaged Gratian who tearmethe the pope's Decretalls canonicall writings.

Catholiques. Unto this the Catholiques answered that true it was cannon and canonicallie mighte be taken æquivocallie, but not in our former controversies, for that withowte distinction those bookes of the Machabies and St. James are no lesse numbered for canonicall bie St. Augustine then the four evangelistes, and for that the secounde councill above named declared them to bee the true worde of God and as the rest of the canonicall scripture, wherfore they inferred that no lesse owte of them then owte of the rest arguments of faith ought and might be deducted, and to doubt of this after suche sounde determynacion were no lesse then blasphemye.

Nowell. And so Mr. Nowell than puttinge the preistes that would have spoken in the cause to silence, and as ofte callinge them brabblers and usinge other tearmes whiche little edified, as *impudentissime quantes* with suche like, when by the Catholiques no suche speeche was uttered but upon the cause directlie, savinge that one Mr. Sherwin said unto him verie boldelie that he woulde not be of his religion one quarter of an hour to gaine the valure of the wholl worlde and many suche, &c. and then as Mr. Sherrwin beganne to saie,—

Nowell. Mr. Nowell shewed by recapitulacion what his partie had said in the former poyntes requiringe th' attention and judgment of the standers bie, whoe when hee had ended,—

Catholiques. The Catholiques requested that briefelie they mighte also declare howe they had answered them and their argumentes, layinge downe strong growndes or reasons for their owne cause, but with a commysysoners check silence was commaunded and so they departed and theise were the espeeceall thinges discoursed and argued upon in the afore nowne.

Protestantes. Dr. Daye. In the after nune greater recourse was made unto the place, where when they were assembled, Mr. Daie beganne to alleage owte of Gratian a Decreatall epistle of pope Leo the 4, to this effect that first the cheefest credit ought to be geven to the Evangelistes than to counCELLs, after that to the supream pastures of Christes church, and in the iiiijth (*sic*) place to the Doctors consentinge, whiche whoe so did not indifferently, was to be accompted not to beleve the four Evangelistes, here he required to knowe how this indifferently was to bee understoode.

Catholiques. To this bie question the catholiques answered that this worde indifferently was not to be taken as thoughe there had bin no difference betwixt the Evangelistes and the rest, but that he which did not beleve the church of Christ and Christes cheefe vickar in the same and the Doctors concentinge, was to be accompted in suche case as he whiche should denye the four Evangelistes, Christ himself settinge downe, if he heare not the church let him be reputed a publican and Ethnicke, and againe, he that heareth you heareth mee.

Protestantes. To whiche last authoritie one of the Protestantes said they used that text to serve all tournes, but gave no reason that in this case it was not rightlie used.

Catholiques. Moreover the Catholiques yealded the difference which they made betwixt the holie scriptures and writings set downe by counCELLs, which was that they were bounde to beleve that everie worde in [the] testament was set down by the speciall direction of the holie guohst so that the writer colde not faile in memorie or otherwise slipp in any small defect what so ever and therefore we were bounde in the paine of dampnation to beleve the smallest things in the bible, not so much but that Tobies dogge had a tayle, for that in scripture it is founde that he wagged the same when yonge Tobie returned from his journey.

Protestantes. This one example was carpied at bie a gent. that had bin brought upp in Luthers schooles, sayinge that it was *nimum scurrile*, which is to be referred to equall judgment. Nowe for counCELLs it was saidd that they had no promise of the holie guhostes assistance for everie word or sillable which they should set downe but onlie for the resolute defynition of matters of faith.

Catholiques. And the Catholiques showed that they had not counCELLs equall with scriptures, and yet that it was as great a falte to again say th'one as th'other, bothe havinge their authoritye from the holie guohst.

As for counCELLs it was ther proved bie that wee reade in the 18th of the Actes wherbie the counCELL called together bie th'Appostles in th'ende it was defined thus, so it seemethe to the holie guhost and us, and thus much before they entered into any sett questions.

Protestantes. After this imperient question was ended they fell to debate, as Mr. Campions booke gave occasion, of their onlie faith, wheather that did onlie justifie, reading woordes owte of his booke, whear he said, that withe St. James' epistle, Luther was wounded, thrust through, with suche like tearmes.

Catholiques. Which he justified to be true, for that Luther him self said, howe so ever it fell owte with him in other questions, he woulde hold fast on his onlie faith, as on a sure and certain ancker against all tempestes. And therefore St. James preaching justification bie good woorkes shooke him to shivers, and therfore he might well write of him in the behalf of St. James as hee did.

Protestantes. Well the Protestantes saied that their was no suche cause whie Luther sholde abide such daunger by the epistle of St. James, for that ancient fathers justified as much as hee did and that albeit the woord *sola*, onlie, were not to be founde in scripture yet that it was to be founde in the ancient fathers, whome they had broughte with them, namlie, St. Basill, St. Hillarie, and one other in whome this sence of speech was redd, that bie the lawe that no justice was procured but bie th'onlie faith in Christ Jesus, soe saye thay, theise Fathers teache with Luther that faithe onlie doth justifie.

Catholiques. The Catholiques answered that most willinglie they admitted those blessed fathers, but so that they wear rightlie understoode, woe they interpreted thus, that bie the woordes their redd it did manifestlie appeare, that the fathers compared the lawe and the woorkes thereof with faithe and therfore justlie concluded by the lawe no justice coulde be applied but by faith onlie in Jesus Christ, neither this faithe onlie in Jesus Christ to bee the protestantes onlie faithe but that which St. Paule speakethe of in the 5th chapter to the Galatheans where he saithe that circumcision avaylethe nothinge and uncircumcysion profitethe nothing, but faithe woorking by charitie &c., and than the Catholiques owte of St. Paule do reason thus against our solafydians that onlie faithe doth justifie, then faithe without charitie dothe justifie, but that was contrarie to St. Paule as the texte alleaged importethe, therfore the bare onlie faithe cannot justifie.

Protestantes. To this the Protestantes said that the sillogisme consistethe on four tearmes but without declaracion of the same made no farther answer.

Catholiques. Agine it was said bie the Catholiques that St. Paule most plainlie in the firste to the Corintheans, the 13th chapter, convinsed their errour where he taughte if a man have all faithe and have not charitie, it nothinge profitethe.

Protestantes. Unto which the Protestantes said that he spake of the faithe of miricles;

Catholiques. But replie was made bie the catholique Mr. Shirwin that whereas St. Paule saide if I have all faithe, of necessitie ther onlie faithe whereof they bost and bragge of so muche must be containd in that clause or els they must have no faithe.

Protestantes. And unto this silence was their answer.

Catholiques. Then farther did the Catholiques conclude owte of St. James his epistle in th'ende of the 2nd chapter that woorkes were to faithe that which the sole is to the bodie, but the sole is the forme and life to the bodie, so therfore the life of faithe

is good woorkes and bie consequence the cause of our justification, because our justification is nothinge els but our spirituall life. Unto this was added the authoritye of St. Augustine, owte of his booke *De fide et operibus* & 15 capt., where he hath registred that this doctryne of justification bie faithe onlie was an heresie taughte in th'appostles' time, for refutacion wherof he declarethe that St. John, St. Peter, St. Jude, and St. James did write their epistles, wherin they so much inculcate the doctrine of good woorkes.

Now unto [what] the partie, one Mr. Sherrwin that is, proposed it was onlie said that ther should be another time for him to be dealt withall, whoe upon such speeches and other woordes of authoritie was often, as he openlie declared, their abridged of libertie to speake, that he was bothe willing and able in the justifyinge of the catholique cause and therefore severallie inhibited to proceade in arguments which he many times began, at the lengthe brake owte in theise woordes, Well, I will hould my peace, but withall will I holde my faithe. It hapned in processe of their disputacion that bie occasion insident ther was talke of a text in scripture which forsoothe must needes bee vewed by Mr. Campion, and to make the matter plesable (as the protestantes imagined) they caused a greeke testament to be brought unto him, which he refused to take, sayinge merrilie to his contrarie, that it shoulde be yours, at which doinge many laughed, as condemninge him of ignoraunce of the tonge, and therefore jestinglye bie the Protestantes it was said, *greecum est, non potest legi*, it is greeke, perhapps it cannot be redd, whereunto Mr. Campion gave non answere but rested on a matter as a man unable by their judgmentes either to reade greeke or understande the same, but it chanced not longe after that the protestantes as they had provided afore were to alleage a place out of St. Basell the greeke doctor, and againe thinkinge to give the catholiques an other bobbe they commaunded againe the booke to be geven to Mr. Campion that he might reade, whome they derided as not able to do the same, but hee tooke the booke, havinge on[e] of their ministerie at his elbowe, both redd and gave the sence of the writer, and bade him bear wittnes that he was bothe able to reade and understande greeke, whearat their was some admiracion made among the protestantes, and he was demaunded whie he had not done so before, whooe mildlie answered, that the print was over small, whie said they, had you not declared so muche for that had bin sufficient. The like triall they made to an other Catholique to witt Mr. Shirrwin, who bie report of his fellowes and other of his compaignions is verie see[torn] in the greeke and hebrue tonge, yet he took the book and [torn] openlie did not reade, which was imagined that he did to bee accounted ignoraunte in the tonge or rather for that hee was willed to houlde his peace for that their should be an other time for him to speake.

Catholiques. Again one other grave man of the Catholiques parte when talk was of St. Jerooms minde as concerning the auctoritie of the epistle of St. James, offred to speake, [but] by a gent. protestant broughte upp in Luthers schooles, as he then affermed,

was before he could utter his minde condemned of ignoraunce. Lett that fellowe speake, said some of the Protestantes, that he may shame himself and the cause also.

The woordes which this man uttered were theise. St. Jeroms minde may quicklie bee knowen as concerninge th'auctoritie which he gevethe to the epistle of St. James, if it can be owt of him shoyd which may bee easelie done, that he alleagethe sentences owte of that epistle for the prooffe of matters of faith, this was that which condemned before it was spoken, after some such grekes (?) geven, Mr. Campion was willed to saie what he thought of faith or what place his church gave unto the same, and then he entered into this determinacion.

Catholique. Whereas you require the declaracion or protestacion of my faith in this point, this I saie that in consideracion of man's justificacion, in holie scriptures wee reade of justificacion *impui*, the justificacion of the wicked, as of a pagan or other person whoe is in the state of mortall sinne, to this man I saie and the catholique church dothe teache that neither the woorkes of the lawe, if he weare a Jewe or the woorkes of nature, if he weare a gentile, shold any thinge avail to his justificacion, but he must have it gratis, that is freele of the mercie of God, wherfore said hee that spake, if you by your *sola fides*, only faith, meane that *sola* only distinguishethe woorkes of the lawe or woorkes of nature before a wicked man be made the childe of grace I subscribe to you, yet withall so that neither faith alone doth perfite man's justificacion, but faith as the foundation and entrance, and charitie as the formall (?) cause, so that in this kinde of justificacion, he admitted no good woorkes but added that a man so made the childe of grace, by faith, hope, and charitie, was then by observinge the commandments and good woorkes to growe farther in justice, after the saying of th'appostle in apochalypse *qui justus est justificetur ad hominem*, he that is just let him be more justified, and so he said David was, after that Nathan the profytt had declared his sinne remitted, bie good woorkes more and more justified, and this [torn] that woorkes proceedinge from grace and charitie in the regeneratte man did merit liefie everlastinge.

Protestantes. But here Mr. Nowell saide he wold agree that good woorkes weare necessarie, but colde not admitt that they did meritt, for that no suche word was to be founde in scripture.

Catholiques. Than the Catholiques said That nothing was so familiar as a reward promised for our works, and mercies must needes have relacion to merit, and albeyt the worde cold not be founde in scriptur, yet ther was no cause whie he shold denye it, the matter being so cleare, for said he the precession of the holy guohst from the father and the sonne, the worde *απουσιον*, that is consubstantiall, is not theire to be founde, neither this terme trinitas, that is the trinitie, and yet all theise are sound doctrines of beleefe. After this the catholique said that he was not justly charged by Mr. Nowell, that he detracted from Christes passion when he held this doctrine of meritt of good woorkes, for that they had the divinity onlie from the passion of Christ and proceeding

from grace wherbie the blood of Christ is applied to the sole of man, they did not detract from Christes passion because all the worthines of works was onlie derived from the same, but ther stayed.

Protestantes. Nowe they would not enter into that question because it was over late and so they departed everie man his waie and the prisoners to their olde proffession.

Reporter. One thing about the auctoritie of St. James epistle I had forgotten which was that the Protestantes did alleage St. Augustine making only this distinction of the bookes to be redd that some wear canonicall, as all suche as weare talked of before, and other Ipocrifal in which because their wear some thinges false they wear not to be redd.

Mr. Hart. This place a pert Papist, for so I hard him termed tooke, and thanked his adversarie for that he had made a good argument for prooffe of his partie, for said he St. Austin said Ipocrifall bookes onelie not to be read because so false thinges were in them, therefore saied he all the rest were to be redd after the minde of St. Austin because no false things were in them and so he concluded that St. James his epistle beinge in the cannon of the scripture was of like auctoritie with the rest because it was of like truth. *Laus Deo.*" 7 pp.

[*Deans Nowell and Day printed, in 1583, their account of this and the succeeding conferences with Campion (A true report of the deputation &c., B.M. Press mark 860, K. 12). A report of the later conferences from the Catholic point of view is in B.M. Add. MS. 11055, and was printed in the Rambler for 1857 (New Series, Vol. 8) but Simpson, Campion's biographer, knows of no such account for the first day except one quoted by Bombinus and said to be in the Archives at Rome. There is no copy of it amongst the Roman transcripts of Mr. Stevenson and Mr. Bliss.*]

SIR THOMAS TRESAME to the LORD TREASURER, the EARL OF SUSSEX and the EARL OF LEICESTER, of Her Majesty's most honourable Privy Council.

1581, September 1. From the Fleet.—“ May it please your Honours that where[as] at my late being before your Lordships, I did (I greatly doubt) not only move your displeasure towards me, in that I was not willing to depose to Mr. Campion's being at my house, which I did in regard of not laying myself (were I never so innocent) wide open to be detected of perjury; but also I dread that thereby it may be gathered that I have had the managing of some secret and undutiful action either with him or some like; whereof to yield a clear testimony, to free me from all such suspect whatsoever (being necessarily occasioned thereunto), have here enclosed drawn down sundry (and I hope sufficient) articles to prove myself both loyal and faithful towards her Majesty, my native country, and the Lords of her Highness' Council, both by my ever exterior words and deeds and also secret thoughts unto the very writing hereof; the which I humbly beseech your Honours to accept in as good part as I in all

simplicity and humbleness of duty presume to present them to your Honours. Wherewith, humbly leaving your Lordships to Almighty God, do cease further to trouble you for this present.”
Copy. $\frac{1}{2}$ p.

SIR THOMAS TRESAME to [the EARL OF LEICESTER ?].

[1581, September 1 ?]—Desires to satisfy his honourable good friend (who was not present at his committal) as to the reason of his refusal to depose concerning Campion being at his house. He has kept house for sixteen years, whereto not only his friends and acquaintances have repaired, but their friends and followers, to the number of twenty, forty, yea sometimes an hundred ; many of whom he knew only “as it pleased themselves or friends to deliver their names,” and others whose names he never asked at all, so that Mr. Campion might have been in his house and company and yet pass from it unknown. Their Lordships state that Campion confessed that he came “greatly disguised in his apparel from his vocation” and only had speech of Sir Thomas once, and that twelve or fourteen years since. In which case, to admit his having been to the house (when in troth he did not know him), were to haste himself to his utter ruin, seeing how he has been “beaten with juries and false perjured witnesses,” and that in their shire of late years such monstrous verdicts have been given.

And on the other hand (he continues): “The aforesaid Lords affirmed for very true that Mr. Campion confessed that he hath been in my house, hath lodged in my house, hath had conference with my wife, yea with myself. Should I now in reason (though in troth I could) depose the contrary to this his direct evidence, and so leave myself to the discretion of a jury whether I be perjured or no, when I have nothing to plead for myself but my bare (though true) negative; when if he should have untruly confessed as aforesaid, as likely it is that again he will as falsely justify it, which being in the affirmative, which being for the Queen and that against me, now a disgraced person, with many things that by skilful men may be inferred, as that he, being a priest, would not wrongfully accuse a Catholic, with other the like, what jury, nay what indifferent jury herein would not record me to be a false perjured caitiff.”

Prays his lordship, for the better consideration of the cause, to “descend from the honourable office of a counsellor” and to suppose for the time being that he is Thomas Tresham, that unfortunate man “whose present distress hath forced his unapt pen in pitiful plight to plead his now nor never not guilty.”

It now resteth specially to satisfy his lordship that there was no disloyalty to her Majesty in his unwillingness to depose of Mr. Campion’s being or not being at his house, whereunto he prays to offer sundry articles to prove his duty, zeal and faith towards her Majesty, by his former acts, speeches and intentions.

He has not done this to rid him of the deep disgrace which has happened, to the triumph of his enemies and the grief of his good friends, by his being carried away from his houses, wife and children and committed to close imprisonment; nor in order to gain permission to give directions in the presence of the Warden concerning his law causes (which are of great weight, concerning titles of inheritance) for which permission—as his wife “was never acquainted with law causes”—he has been a humble suitor since his committal a fortnight ago, but hitherto in vain; nor does he seek so to ease his “weak and oft sickly body of this close, noisome and moist imprisonment, as to be licensed to enjoy that liberty and favour that daily and all day long is here afforded to brawlers, fighters, unthrifty and loose people, to merchants, in for many causes, to bankrupts, as well of English as foreign nations,” although, even if that were not denied him which even “pillory and most contentious prisoners” enjoy, he would be in far better case than now he is, or those other gentlemen also in for conscience sake; but he calls God to witness that he does this only to declare how guiltless he is of all disloyalty, referring all other matters to their Lordships’ favour.

It would little seem from the length of his letter that it was late that morning before he could obtain pen and paper to write with, but he has not the art “compendiously to couch so ample matter in few lines.” 3 pp. *Copy, on the same sheet as the preceding.*

The Enclosure :—

The following articles, to which he offers to depose.

1. As to whatever shall concern his duty and allegiance to her Majesty as his dread and sovereign Queen.
 2. As to anything that touches “any action or conference with any person whatever” against her Majesty’s safety.
 3. As to anything concerning any confederacy with any prince, state or person against the quiet, happy and peaceable estate of any part of her Majesty’s dominions.
 4. As to his knowledge of any Catholic who has used undutiful speech against her Majesty’s lawful right to the crown.
 5. That he never received into his house any Catholic “who did not in all reverence acknowledge her Majesty as his undoubted Queen, and he her Majesty’s humble and loyal subject.”
 6. That he never received into his company or acquaintance any whose loyalty was not sufficiently known, without examining him thereof (even though he tarried few hours in his company), and that he never found any that did not speak very reverently and dutifully of her Majesty.
 7. As to whether he does not always pray for her Majesty.
- Furthermore, he offers to depose to what he “hath a will to do after her Majesty’s time (which day, God grant he may never see) as also to his inmost thoughts of how he can serve her Highness, the like whereof, if her Majesty knew of every of her subjects,” he doubts some would be ashamed of such a trial.

Wherefore he will depose :

1. As to any conference with foreigners or others of "any action of State to be done . . . after her Majesty's time."
2. That as he never wished to see that doleful day, so he has never been "malcontentedly forethinking, ambitiously contriving or in any sort worldly seeking to join with any, whereby in future time to be relieved, countenanced or advanced," but has hoped all good from her Majesty, whose life may God long prosper.
3. That not only in word and deed, but in every thought he does "dearly esteem, perfectly love and dutifully reverence her Majesty," being bound thereto both as being her vassal and subject, and also for "the singular benefits" which, under God, she hath been the means to procure to her people, permitting with great clemency a multitude of them, himself included, to live with the freedom of their consciences, "doing no act against her Majesty's laws."
4. As to his "readiness to any service of her Majesty's, as subsidy, loan, setting forth of soldiers or any other the like," wherein he hath always been as forward as "the most forwardest in our shire" and his further readiness to serve her Highness with all the expense of his goods and blood, whensoever she shall command him.
5. As to any conspiracy against the person of any of her Majesty's Council.

But to accuse himself or any other Catholic in matters of conscience ; that, he verily believes were to commit mortal sin, which, were it to gain a whole world, he would never condescend to do, but would rather content himself "with what torture soever justly may be imposed" upon him.
Copy. 2½ pp.

SIR THOMAS TRESHAM and DR. LYLIE.

1581, September 3.—"A discourse of the Real Presence, in the Fleet, in Mr. Ward's chamber, between Sir Thomas Tresham and Dr. Lylie, sent by the Earl of Leicester to Sir William Catesbie, knight.

"At the end of dinner, being at the table Mistress Banckes the deputy's wife, the Lord Vaux, Sir William Catesbie, Sir Thomas Tresham, Mr. Shelley and Mr. Rooper, prisoners, and also the said Doctor Lylie, Master of Balioll College in Oxford, and Mr. Richard Catesbie, uncle to the said Sir William Catesbie, who brought the said Mr. Lylie thither, and divers of their servants and of the servants of the Warden, it fortun'd that speech was moved by Sir Thomas Tresham of God's sundry gifts, that whereas there are many studies and liberal arts for the better enabling of the gifts of nature, that yet in these days many proved to be of great opinion in the world who little were understanding thereof, yea, and some such not understanding latin ; and effectually this was commonly to be seen among the preachers at this day."

Here follows a long discussion between Sir Thomas and Dr. Lilly, in which the views of Sir Thomas More, Erasmus, St. Augustine, Huss, Waldo and Luther are spoken of; after which "Mr. Doctor Lilye departed, promising to return again before his departure from the city, and all these gentlemen returned [to their] chambers." 6 pp.

Also

Rough drafts of the above, and of a long friendly letter from Sir Thomas Tresham to Dr. Lilye on the same subject, beginning—

"Of so small acquaintance, my good friend Mr. doctor Lyllie, I have not found myself more beholding to any of your vocation, not only for your readiness to impart unto me some part of your much skill in divinity, but also was contented that I should rudely and preposterously with thwart and mis-shaped arguments offend your learned ears." (*In all 20 pp.*)

[LORD VAUX?] to [LADY MONTAGU.]

1581, October 23. From the Fleet.—"Good Madam, lately I received which I may not lightly let pass, which when I behold is to me a world's wonder: that a professed reformed Christian will so violate the rules of true Christian charity as induly, yea, too, too lewdly contrive to add affliction to affliction. And when? Even now to be enterprised against me, in my present unexpected and deep disgrace. And by whom? but by, as I am advertised, by my near neighbour, my nearer kinsman, and tofore ever reputed good friend; I mean my cousin, William Lane. And wherein? In an action of no less importance than in slandering me, that I (with brasen face as it were) should with notorious lies and base ingratitude recompense good with evil and be become a backbiter and defamer. And that of whom? but alonely of you, my good lady and better friend; whom for your husband's sake I have esteemed, whom for your well-deserving towards me I have loved, and whom for your own virtues I have revered. Mark withal, the cunning couching of this shameless slander, to be now raised in the time of my absence forth of the country and in my restraint of liberty and close imprisonment here, when by all likelihood I should never have heard thereof. [Here follow reproaches against his friend's treachery.] Madam, I am advertised for troth that he hath signified to you that upon my late committing to your husband's custody, that I since should have reported how evil my entertainment was in your house, and especially by you, and that so base and evil that I was almost famished for want of necessary relief of entertainment and diet. Which report being not delivered in secret, was offensively taken by you and yours and much sorrowed by mine, that I should raise so lewd a report in recompense of my then good entertainment, fit for a prisoner, as also of that which I many times erst have had at Bowghton. This did a gentleman

impart to Anthony my servant, as one that was sorrowful that I so should slander your well-using of me; whose name is Mr. Robert Molsoo, brother to my cousin Molso of Finden.^a

In answer to which accusation:

"First, I appeal to the testimony of all my neighbours and namely to yourself, whether heretofore I have at any time been reputed to be a brabbling backbiter to the 'towche' of my neighbour. If then never tofore in my prosperity and liberty, unlikely to begin in my adversity, when we joy to retain rather than to reject friends. And especially even at the first to begin with you, my dear friend.

"Secondly, that no such occasion being ministered by you, but the contrary, whose hospitality is sufficiently testified to the whole shire, to whose house I was always welcome, and so did I hold myself; and withal, your husband being generally known to be of discretion and judgment how to use one of my calling, committed to his custody, I had been audacious, I had been more than impudent, yea I had been as impudent as the inventor hereof himself, to have raised so senseless a slander, and without any original at all.

"Thirdly, this should be since my committing. Then if it were at your house, your husband, yourself, or such of your servants as were appointed to attend my imprisonment can advertise you thereof. If mean between that and my committing to the Fleet, your son, who all the time had charge of me, can witness it. If since my committing to the Fleet, where I remain close prisoner and none may speak with me but by warrant in the presence of the warden or his deputy, let them say for me.

"Lastly, I say unto you, upon my honour, that if so he hath reported of me, that he therein is most false in his speeches, and that I never said so; nay further, I say, I protest I never had any such thought, which I will aver to the face of him whosoever, to his utter shame and reproof, that dareth to gainsay it. [Here follows a long homily on the sin of "detraction," with many quotations from the Bible; allusions to the warning of Miriam (or Mary, as she is here called), who was stricken with leprosy for "detracting from Moses"; and to the views of St. Augustine, who held the company of detractors "so noisome that even at his table he always had certain verses erected in public to banish them hence, which verses in like sort being also here in England commonly used" he omits to recite; and apologises that from justifying himself he has gone on to be a giver of counsel, and has written so long a letter. He ends as follows:] "And because all unkindness at once should be shuffled forth, if any rest in the 'dekk,' I think good to unfold to you some unkindness which I conceived of you at my last being in your company, which was your somewhat too zealous (I will not otherwise term the same) urging me in matters tending to religion; which the rather I noted because you were not accustomed so to deal with me, and then too,

* Or Thingden.

I being a prisoner for like causes in your house. But specially for that you, being of such modesty and withal so oft reading the scriptures, would so sharply reason with me, and that in the presence of your husband; since St. Paul admonisheth that women should learn in silence and in subjection; and that in their houses they themselves should learn by demanding of their husbands; who doth not permit them to teach in their presence, but to be in silence. For silence extolleth womanly shamefastness and such comely shamefastness adorneth their age. At which time, Madam, if I anything, as haply in reply I might, offend you, I pray pardon thereof; for I had no intention to minister offence to you; and what then passed from you to me, God forgive me as I therein forgive you, to whom and to your good husband being most friendly commended, not doubting but we shall many times meet and be merry."

Postscript.—"I must acknowledge your son his well usage of me, little thinking to have found such sufficiency in one of his years, to wield to so good effect a thing so strange to him; to whom I pray you vouchsafe me heartily commended."

The letter is possibly in Sir Thomas Tresham's hand, although it is very carefully and clearly written. Below, in his usual handwriting, he has given a note of the five points of the letter, so that, as he writes, "if you think the letter too long, you may leave out any of these five points, which you will." From this, and from his fifth point, i.e., "Lastly a brief repetition of some unkindness at Bowton of late when my Lord was there prisoner, with a hearty reconciliation thereof" it would appear that the letter is a draft for the use of Lord Vaux.]

Proceedings in the STAR CHAMBER.

1581, November 15.—Proceedings in the Star Chamber against Lord Vaux, Sir Thomas Tresham, Sir William Catesby, &c., for contempt in refusing to state on oath whether Campion had been at their houses or no. 18 pp. *There is another copy of this in Harley MS. 859 (f. 44), from which it was printed in the Rambler of Jan. 1857 (New Series, Vol. 7). The editor makes two mistakes in his notes upon it. Lord Vaux's wife was Tresham's sister, not his aunt; and Tresham was never confined at Wisbeach.*

L[uke] K[irbie] to Mr. COMBERFORD.

[1581-2], January 10.—Copy of the letter written by Luke Kirbie in prison—looking "to suffer very shortly"—concerning John Nicolls' recantation of his accusations against the priests, and also Mr. Harte's long conference with Mr. Reanolds of Oxford, who, albeit the best learned of that sort "yet the more he hath been tried and dealt withal, the less learning he hath showed." Mentions Mr. Bosgrave, Mr. Philbie and Mr. Rychardson as his fellow prisoners, and states that "the Earl of Desmond is looked for, if the common report be true." *Printed, with a few variations, in Challoner's Missionary Priests, i, 53, ed. 1803.*

SIR THOMAS TRESAME to [VICE-CHAMBERLAIN HATTON].

1581[-2], February 10. From my prison.—“The old adage hath been and still is : seldom chanceth one mishap unaccompanied of another as bad, but I now say, mishaps never cometh unaccompanied of others much worse. . . .

“This day I am advertised of my brother’s [William Tresham’s] late departure forth of this realm ; an inconsiderate act, in regard of his own estate and credit ; an unthankful office of him towards your honour (his dear, good friend) not to acquaint you therewith, as I suppose he hath not, considering how you friended him in prison, how at liberty, how in the country, how at the court, how in his young days, how in his time of more experience, how from the beginning, how to his later ending ; that of a thrall prisoner delivered him a freed subject, that of a countryman procured him a settled courtier ; that of a person disgraced, restored him into her Majesty’s good favour ; yea, that bestowed on him forth of your own coffers your own office of a pensioners ‘romth’ [room] ; also an undutiful and most forgetful extraordinary demeanour the same was unto her Majesty, our worthy Queen and his most gracious mistress (whom he so many years had served in ordinary) to depart her Majesty’s service upon this sudden, without licence first obtained. Lastly to me, his brother, a most untimed departure was this in sundry respects. First, that he oweth me, and which I am bounden to pay for him, is above 600*l.*, which, added to my great hindrances of late will make me, of a poor man, become a needy beggar, more fitter for ‘distie and clakke in can arte wise’ to beg charitable alms at every man his door (if I had liberty) than to keep hospitality according to my calling, or to afford others usual relief, which for these full twenty years together I praise God and my prince I have been competently able. And being in prison, it shortly will better sort with my decayed estate to beg at the box than to keep board among my betters. . . . But the thing that most wringeth me is that your honour, our good friend, and specially her Majesty, our ever most gracious Queen, should be occasioned to note in any of our family so notorious a want of duty, for which I know no remedy but to add this to the huge heap of my heavy oppressing heart griefs and to commend to your honour’s wisdom so discommendable a folly, desiring this justice only, that every horse may carry his own load, and that as the son shall not suffer for the default of his father, so I hope and right humbly beseech, my brother’s want herein be not laid in my dish. . . . But as many an honest man may have a dishonest brother, which is more men’s case than mine alone, so I hope (his misguided wielding of this so weighty a matter only excepted, which I utterly do condemn) that he will show himself by his acts an honest and faithful subject to her Majesty (whom I beseech Almighty God may long govern us) and a true English man unto his native country, which I wish may ever prosper and flourish.

“Thus have I hasted these sorrowful lines to you, and withal have sent you enclosed my wife’s letter (which I doubt you will

hardly read), whereby I was first advertised of his being beyond the seas, which letter I this day received, in the afternoon, being Saturday the 10th of this present, that maketh up my full half year's imprisonment, being first committed to prison (by the order from my lords of her Majesty's Privy Council) upon Saturday in the afternoon, being the 10th of August*; which future half-year, if it equal in sequel this now past . . . then shall I, wretched man, be so plunged in a sympathy of miseries that my only comfort must consist in most desired death, which is *finis omnium malorum et ultimum terribilium*, wherewith I shall then give end to these my endless worldly woes." *Draft.* 1½ pp.

SIR THOMAS TRESAME to [the LORD TREASURER?]

1581 [-2], February 15.—“From my prison.—Right honourable my very good lord, I had now some few days since advertised your honour of the unglad tidings I lately received of my brother's sudden departure forth of this realm, a thing right sorrowful to me; which, so soon as I had understanding thereof, thought it my duty to manifest unto some of your honours, namely to Mr. Vice-Chamberlain, who had bestowed on him his office of pensioners ‘romth’, and to your honour, unto whom both my brother and myself especially have been most infinitely bounden. The same day . . . I hasted some few mean scribbled lines unto Mr. Vice-Chamberlain, who then was furthest off, and present attending on her Majesty at Canterbury. My intention was at that instant likewise to have written to your honour, to whom, though I later had written, yet reckoned sooner should have been delivered; but as man's intention is subject to the disposing of Almighty God, even so I was upon the sudden then arrested with a greivous pang of sickness. . . . Till this day I was not able to take pen in hand, where, though much amended, yet far from fully recovered.

“Wherefore, may it please your good lordship: upon the 10th of this present, I received a letter from my wife, whereby she signifieth that my brother, by a letter of his of the 15th of the last, and from Paris, doth impart unto her his departure; beseeching her to be a means to me, not to condemn him herein; alleging for himself two principal reasons, yet both from the original of my lord of Lester's heavy displeasure (undeserved, he saith) conceived against him.” These sundry years he has tried to reconcile himself into his lordship's good opinion, or at least to learn his offence, but when nothing would avail, he has forsaken his friends and kinsfolk, abandoned his native country, made himself a voluntary exile, and chiefest of all, after many years service of her Majesty (wherein, I know he spent very deeply in regard of his ability) has not only lost what he might have gained from her bounty, but has heaped upon himself hotly her Majesty's indignation. “A second reason of his was that he verily persuaded himself that I did speed the worse in my causes for him, which two laid together he maketh to be the entire occasion of his departure, which happeth me very ill, who is

* This is a mistake. See Introduction, p. vii.

indebted to me, and I indebted for him, . . . who now hath failed me most when he best might have steaded me, I being in prison and he at liberty. Thus I most humbly beseeching the continuance of your lordship's good favour, and that I abide but the punishment of my own demerits and not to answer for the faulting of others, do leave your lordship to the government of Almighty God, whom I beseech long to prosper you, to the great comfort of many your friends, and to the infinite good of this whole realm, who to their great joy these many years have possessed you, and many more I pray they may." *Draft. 1½ pp.*

Mr. Cox.

1581[-2], March.—"The speech of Mr. Cox, secretary to Mr. Vice-Chamberlain, delivered to me by him from his said master, this Wednesday, at the Fleet, being newly risen from dinner." Mr. Cox stating that he had a message from his master, Sir Thomas took him aside from the company, into "the cupboard behind the portal," where he said that his master was right sorrowful that he must add to Sir Thomas's many crosses, but knew he would endure all patiently and in time "wear them all out." On Mr. Cox's saying that the speech he had to use could not be put into few words, Sir Thomas took him up into his chamber, where he did take unto him a stool, but (stools being somewhat scant) Sir Thomas sat on his bed's feet. And being set, Mr. Cox very courteously began :—

"I shall not need particularly to ransack the error that your brother hath lately committed by his unadvised departure from the Court, from her Majesty's service, yea, and from his native country, or to say how unkindly my master did take it, or how offensively her Majesty was therewith displeased, . . . but I am to discover to you a greater error of his and withal a later, which is of divers letters that of late he hath sent unto the Court, wherein he hath notoriously faulted, both against my master, the lord of Lester, the lords of the Council and above all against her Majesty. . . . He hath written in his letter to her Majesty sundry things that hath highly increased her Majesty's displeasure, among other, that he hath absented himself in respect of the great displeasure which the lord of Lester beareth him, which her Highness doth not allow for a sufficient excuse to depart so undutifully from her Majesty's service; secondly that he promiseth to return, which more moveth her Highness than his departure did, for that it seemeth thereby that he hath some further intent, and that his departure was not only in regard of the lord of Lester's displeasure; thirdly that audaciously he notifieth to her Majesty that he will go to Roan (a town in France as I remember the name) which is a place that her Highness doth greatly dislike of, and that it is to be feared that he cannot long continue there a good subject." To the lords of the Council he has written too boldly, little observing the reverence due to so honourable an assembly, and to my master his letter was such "that had not I well known his hand, I would never

have thought Mr. William Tresame, with whom I was so specially acquainted withal, would have written such a one to my master, his dear good friend and always lover," so peevish, spiteful and false that he had scarce patience to listen to it. He charged my master with ungrateful using of him, spoke of his faithful love and following of him, of how much my master was beholding to the family of the Tresames, and how little he had done for them, and withal threatens my master that your family may haply be able to do more for him than he hath done for them, "whereat my master much wondereth, to be threatened with that family which he always hath so loved;" he untruly accuses my master of calling him a papist galliard, and lastly he "offereth my master very unseemly and proud speeches; that he is like a grasshopper, who flourisheth in the summer's heat, and yet is killed with the first 'bartlemew dew'."* All which my master took so unkindly, that he said to me "to whom can I think to deserve well, when William Tresame, whom I reputed to be my faithful good friend, doth challenge me of discourtesy and ingratitude, and withal that he should threaten me with some adversity in short time, and that I was but like a grasshopper, whereto his honour answered that whensoever the same should happ him, the world should find him no such fainting thing as a grasshopper" and that he hoped he should use such time of trial to his own good, as now he desires to employ his present favour with her Highness to her Majesty's service and the good of the Commonwealth. And further he wished me to do you to understand that he has a great care to restore your brother again into her Majesty's good favour, and "had written to him presently to return, whereupon he doubted not but he should satisfy thereby for the oversights he had committed; wherefore my master wishes you to write to your brother to that end, and also to write another to his honour, taking notice of this message, which he assureth you shall turn to your great good, who . . . wisheth to you as to his very good friend." 2 pp., *imperfect*.

LADY TRESAME to the COUNTESS OF WORCESTER.

1582, December 18. Hogsden.—"Dear lady, I cannot devise with what decency it may now beseem me to enterprise the breach of this my over long (but not unthankful) silence; yet much less do I know how to begin or where to end in rendering unto your ladyship the due of those deserved thanks that I (the woeful wife of a distressed prisoner) have received from you, even in this our great want of friends . . . Such is the favour, yea special favour that our son hath received generally of all, but principally (next under my Lord your father) of your ladyship and from yourself, that he himself is not only obliged to carry that ever thankfully registered with him unto his grave, but likewise we his parents to acknowledge the same all the days of our life"; and, withal, courtesy shown not only to our son himself, your poor kinsman, but to his mistress, nay even to his man. I should enlarge these lines far beyond the limit of a letter if I particularly mention all

* Cf. letter in *Life and Times of Sir Chris. Hatton*, p. 352.

your friendly offices, wherefore in thankful silence I slip them over. Yet "I cannot but admire your virtues, worthy your honourable parentage whence you are descended (namely that worthy lady, your dear mother and my first and last and best beloved mistress, whose soul God pardon, and who in her lifetime was the true pattern of womanly modesty, gravity, wisdom and godliness) worthy of so twice worthy a lord, as you are (in this our corrupt age of manners and religion) right, blessedly matched withal; and well worthy the expectation that from your cradle you ever aboded to all that were acquainted with you in your most childish years. God grant you ever perseverance in this your virtuously commenced race, and enable us deservedly on our parts to be worthy the friendship of so rare a friend."

Postscript.—This morning we hear that Don Anthonio [pretender of Portugal] is comen to Harwich, or Monsieur [the Duc d'Anjou], which Mr. Tresam could not erst credit. I pray you signify so much to the Lord Mordant. *Draft. In Sir Thomas's hand.* 1 p.

SIR THOMAS TRESAME to SIR WILLIAM CYCILL,* Lord Treasurer; SIR WALTER MYLDMEY, Chancellor of Exchequer; and SIR ROGER MANHOOD, Lord Chief Baron of the same.

[1582?].—Is much bounden to their lordships, for that they have sealed all sums due from him for his recusancy; but understanding that divers of the indictments against him are void in law, prays for such directions to the Attorney General, that, if it is so decided by the Justices of the Queen's Bench at Westminster, petitioner may be "allowed for the same of other money that shall be due unto her Highness." $\frac{1}{2}$ p.

[SIR THOMAS TRESAME] to SIR CHRISTOPHER HATTON.

1582[-3], January 16. At the Fleet.—Having endured long confinement, paid all his fines, satisfied her Majesty for the cause for which he was committed and continued in captivity to the uttermost time that by the law was adjudged—all others confined for the same cause being now enlarged save Lord Vaux and himself—he prays for restoration to her Majesty's favour, declaring before God that he never had the least intention to offend or disobey her, his most lawful and righteous Queen, his sole sovereign and most revered Lady and Mistress, but will ever serve and defend her with life and goods, against foreign invasions and home conspiracies, with as much zeal as any of his ancestors "did bear to any of her Highness' most worthy progenitors, under whom they were dignified with many noble offices and advancements and lived in high prosperity; and at whose feet and in whose service sundry of them (even hundreds of years since) have faithfully ended their lives with honour in the field."

* But Cecil was created Baron Burghley before he was made Lord Treasurer.

Addressed:—“To the right honorable Syr Christopher Hatton knyghte, one of her Majesty’s most honorable privie Counsell, geve theis at the Courte.” Two copies, one of them beautifully written, in the form of a petition. Unsigned. 1 page of very close writing.

LORD VAUX to MR. FARMER.

1583, April 19.—I have to desire your friendly advice in passing certain assurances from my eldest son to his brother, my second son. By means of my long imprisonment and otherwise I am growing greatly in debt, and have been forced to sell divers lordships, notwithstanding which I have still many things to discharge, money to find for my daughter’s preferment in marriage, and lastly, to advance my house by some good marriage. “And in truth, Mr. Farmer, I was of late offered a very worshipful match and no small portion of money for my son, whereupon I made offer hereof to my eldest son. . . . He flatly refused to marry. I then instantly desired him before divers of our friends that then he would be contented, in respect of the premises, that I might make my most benefit of his brother, and that he would resign to him his interest,” to which he at length willingly condescended, and we have agreed that you should be the man to decide what assurances shall be passed over. The bearer, my dear friend, will inform you more particularly therein. The sooner it is done so much the better, and I pray you to use secrecy therein, lest it be impeded by some of my first wife’s kinsfolk. *Draft in Sir Thomas Tresham’s hand. 1 p.*

LADY TRESAME to the COUNTESS OF BEDFORDE, at Cheyneys.

1583, May 27. Totnam.—Madam, my duty in most humble wise remembered. So was it that after your departure yesterday from the Court, I did speak with Mr. Beall, who signified to me the conditions of Mr. Tresam’s band, which I gather to be far stricter than erst your lord ever at any time conceived them; viz., that my husband should be bound in 2,000*l.* not to come within four miles of London (wheretofore he was licensed his house in Tuthill) and not to depart forth of such house as is to be assigned him, without mentioning of liberty or circuit at all, which you know was never denied, and further that Mr. Tresam should be bound to his good behaviour without exception of cases of religion or conscience whatsoever, which till now were ever granted to be exempted. Lastly, Mr. Beall forwarned me that my husband should have but one month’s respite at his house in Hogsdon to provide him another, distant from London four miles, and that in case he failed thereof, he then made forfeiture of his band of 2,000*l.* to her Majesty.

“May it therefore please your Ladyship, that to the end his health may be preserved (which in good sooth is wonderfully impaired with these two years of imprisonment), and that we may

not ever live in this thrall'd sort separated, and our little children rest continually deprived of their father's comfort and direction . . . that he may be licensed to his house at Hogsdon, putting in band of 2,000*l.* not to depart forth of that house, enjoying there withal a little orchard and less garden thereto adjoining . . . it being the very next house where he now remaineth prisoner.

"In which change (though he remove but from one prison to another . . .) yet these benefits, good madam, doubtless we shall enjoy thereby : where he is now under a wayward warden, very badly entertained, in worse wise divided from wife and children and too, too badly lodged, as with extremity of daily smoke bitterly annoyed and with continual heat ready in this hot, wet season to be sweltered, his chamber being allotted over a noisome kitchen, rudely and disjointedly boarded and not a whit ceiled, that my husband were as good to lie in the kitchen as over the kitchen, in respect of noise, smoke, heat, loathsome savours, and that which is worst, in oft hearing ungodly, lascivious and blasphemous speeches ; and withal so scant'd of 'romth' and bedding is this vile chamber, thus pestered with enormities, that when I remain there myself, I always am forced to send my daughter into the town to lodge, where I may provide her a bed : that by removing him to his house as afore-said, he then shall be his own keeper, shall be conveniently placed, shall contentedly dispose of himself in security, quiet and health, and we, his wife and many children, shall thereby enjoy him, our special guide and principal worldly direction. . . . Madam, had I not very lately made singular and due proof of your zeal to advance my husband to liberty, or if also I knew not that I directed a woeful wife's supplication to a wise wife, to a loving wife, yea and to a wife who hath in like storms tasted of crosses laid upon my uncle your dear husband, then should not I have contained my pen from further unfolding my exceeding inward woes ; wherefore, good madam, vouchsafe to recall to present memory what past griefs you erst endured, when as my said uncle, your husband, for his security was driven to abandon his native country, to leave you desolate in widow's wise and his then little one fatherless in respect of his father's forced absence, and also, as it were, motherless, in regard that you then were dangerously wounded with heap of overwhelming sorrows ; even so most instantly I desire your ladyship to conceive of our great affliction and exceeding misery" and to relieve it by your friendly sufficiency ; humbly praying pardon for these tedious lines, and committing you to Almighty God, who ever prosper your ladyship, my Lord your husband and all yours. *Draft in Sir Thomas Tresham's hand.* 2 pp.

LADY TRESAME to her cousin [HORSEMAN?].

1583, May 28. Hogsdon.—You bind me to tender you hearty thanks for your ready good will and travail in my husband's behalf.

We are now in such wise thwarted that our hope is turned to despair, for though there is none like bounden to labour for Mr. Tresam's liberty as myself, yet would I never wish his enlargement "with the clog, impairment of his conscience and credit, which must needs follow if he should acknowledge that a fault which he [not] only is persuaded is none, but that it were a great fault for him to do the contrary. I have heard him say that both by the written word, by the exposition of ancient Catholic and of late protestant writers, by the precedents of blessed martyrs in the primitive church and by the martyrs mentioned in Mr. Fox, that he is not to acknowledge such refusal to be a fault but a singular commendation. Yea, I know that he did write to the Lords of the Council to this effect long since, and offered to be judged by any their own divines; so, none being sent to him, he remaineth still of opinion (under correction be it said) that it is no fault. But this much to you only, for it were not wisdom for my husband to revive the thing for which he hath suffered and long since hath been buried, wherefore, cousin, if without such acknowledging it may not be had, let it alone." It is said that all Catholics are to be bound from London, and give such condition of good behaviour as is intended to Mr. Tresame, but I am persuaded that it shall be never offered any else but my Lord Vaux and my husband, for I see many allowed to go into the country and others bound to London and some circuit about it, and not from London. "Truly cousin, I would require this exchange of imprisonment only (since liberty we may not look for), that Mr. Tresam might be his own prisoner in his house at Hogsdon, putting in band of 2,000*l.* not to depart thence, which albeit is but changing from one prison to another, yet would it be greatly beneficial to Mr. Tresam for his health, and to me and our children exceeding comfort to enjoy him, whom so long time (two full years) we have wanted. I heartily desire you, if the other may not be had, that yet we may obtain this." *Draft by Sir Thomas.* 1 p.

SIR THOMAS TRESAME to MR. WILKES.

1583, June 13. Hogsdon.—Thanks him for his friendly advertisement of the intention of the Lords of the Council to enlarge him to a further liberty; declares that he never refused in malice, obstinacy or disobedience to her Majesty, to depose of Mr. Campion's being at his house, but was only induced thereto by conscience, and had he then known what he does now, would have satisfied them as readily as he has done since; and sends grateful duty to Mr. Secretary for holding so mean a creature in remembrance. *Draft.* 1 sheet.

[LADY TRESAME to LADY HERBERT.]

1583, June 13. Hogsdon.—"My dear good lady; when I remember (as I daily am put in remembrance by Mr. Branston and many other my friends, yea almost of every one who cometh

from Ragland) of your continual friendly offices endlessly exercised (for the favour you bear to Mr. Tresam and me), towards our son, it maketh me not only in thankful breast perpetually to register the same, but also now necessarily induceth me to call to memory things long since passed. As when both you and I were young, and brought up together under your right virtuous mother (an excellent pattern in this corrupt age of manners of all womanly modesty, gravity, and christian government, whose soul I beseech Almighty God to pardon) of what singular expectation you then were of, in the judgment of all that did know you. At which time, though I was very young, of slender capacity and of less insight to deem of future sequels; and albeit all your sisters deserved then to be passing well liked of, yet truly there was ever in me such a peculiar and singular well conceiving of your future proof, that the same did, as it were, not only then abode these your wifely virtuous actions, which, by the honourable and wise carriage of yourself, the world will be the trumpet thereof, but likewise did then presage to me, in a sort, what rare bounty I was in time to reap from you, whereof I cannot but take thankful notice." If in our young years we could have foretold events to come, or if an angel of light had been the messenger of glad tidings to me, "and had signified that I was not deceived in my judgment, for that this young and virtuous inclined lady, whom I favoured above the rest, was she that I should reap from her a most notable and worthy favour," what could I have conjectured, comparable to this which you have most friendly performed. For, first, I should have hoped never to have had this exceeding thwart of adverse fortune and abandonment of friends, and next, we were so separated asunder since we were very young, yea, and so separated by marriage into the furthest limits of this little island, that it would have seemed unlikely that we should ever meet. "Let it suffice your ladyship . . . that you assuredly know me to have been amid the abounding fruitful meadows of your sweet and delicate blossoms, whence I have picked forth these, where I also might have gathered not only plenty of like posies, but also with bundles and loads of bundles of the same odiferous and delicate flowers might have loaded myself, had it not been needless for me to make a curious ostentation to you of that which is unknown to few . . . " *Draft by Sir Thomas, much injured by damp.* 1½ pp.

E[LIZABETH, LADY] HARBERT, to LADY TRESSAM.

[1583,] June 21. Ragland.—"My good lady, I received your letter full fraught and laden with sundry tokens of that entire affection which you profess to have had his first bloom and tender nativity at such time as you and I being young imps together were trained and brought up, and for my part I do determine so to continue to my end, having the like good opinion of you, I

mean my good will and affection which to you and yours shall never fail, and my good lady I am more urged to give you hearty thanks for your great love towards me, than to acknowledge in myself those virtues you attribute unto me, which are, as my conscience assureth me, few or none. But how or whatsoever they be, little or great, God grant they prove weighty and of some value when the time cometh to try them indeed, and in the meantime I esteem so well of your partiality in reporting them to my advantage as I cannot esteem anything more, and as touching my cousin your son (where hence you derive a great argument of my affection towards you) my care over him I confess was the least circumstance of a hundred to maintain him in virtue, for considering his own good inclination of nature, together with the great care of him to whose tuition he was committed, he could not lightly chose but do well; and thus returning my friendly commendations to you and Sir Thomas, wishing you your heart's desire I end my scribbling." 1 p.

LADY TRESAME to the EARL OF WORCESTER at Raglande.

1583, June. Hogsden.—Thanking him on her own and her husband's behalf, for his great kindness to their son,—who has had to be so long absent from the care of his father, a "disgraced prisoner,"—but who is now to come up to town with what speed he conveniently may. *Much damaged by damp. Draft in Sir T. Tresham's hand.* 1 p.

SIR THOMAS TRESAME to SIR WALTER MILDMAY.

1583, October 1. Hogsden.—Good manners were it to have made some requital for former favours rather than afresh to crave your help, but my present adversity constraineth me to come to you for refuge. "So is it (as you well know, by whose singular furtherance I enjoy this liberty) that thereupon by order from the Council I did enter into bands not to depart forth of the precincts of Hogsden^a and Shordich without their special licence, at which time I had interest in this cottage (erst a tippling ale-house) till Michaelmas, which long since is also taken by another tenant, who with his family immediately would come hither but that upon earnest mediation he hath granted me yet a fortnight's abode, elsewhere to provide me another house; this in very truth being far unable to contain half my family. And inasmuch I am now wholly destitute and out of all hope to get any convenient house within the limits of my bond, do most heartily beseech you to further me to that favour, as to enjoy my own house at Westminster where my winter's provision is already laid in. . . . My assured hope is that this my present suit shall not be deemed unreasonable, my house in Tuthill being further distant from London than is Hogsdon^a; the liberty of Westminster no

^a Sir Thomas writes Hogsden or Hogsdon indifferently.

larger scope than is Hogsden and Shordiche parish . . . Lastly my humble suit to their Lordships also is that for the term time only I be licensed to follow my law causes, which in good faith greatly importeth me." All of which I commend to your furtherance, and yourself to the government of Almighty God. 1 p.

SIR THOMAS TRESAME to THE PRIVY COUNCIL.

[1583, October 1. Hogsden.]—To the same effect as the above. *Draft.* 1 p.

Underwritten: Instructions that this is to be written out "in supplication wise."

SIR THOMAS TRESAME to the EARL OF LEICESTER.

1583, October 1. Hogsden.—To the same effect. *Draft.* $\frac{3}{4}$ p.

SIR THOMAS TRESAME to SIR CHRISTOPHER HATTON.

1583, October 1. Hogsden.—To the same effect. Thanks him for all his past kindnesses, and especially for that to which the very stones bear witness, his bestowing a pit of free stone in his quarry at Weldon for the finishing of Rothwell Cross, which stands in the highway, midway between Sir Christopher's two stately edifices [Kirby and Holdenby], as a witness of the bounty of happy Holdenby to ruinous Rushton. *Draft.* 2 pp.

SIR THOMAS TRESAME to his cousin HORSEMAN.

1583, October 2. Hogsden.—Encloses the above petition and letters, and prays his furtherance in the matter. Has not written to the Lord Treasurer, knowing that his cousin himself is so good a means to him; and although he has mentioned his cousin Wilford's permission for him to remain another fortnight in his present abode, he has not "nominated" his said cousin. *Copy.* $\frac{3}{4}$ p.

SIR THOMAS TRESAME to LORD MORDANT.

1583, October 3. Hogsden.—Concerning leases of Lord Vaux's lands in Irtlingborough, partly rented from the College of Irtlingborough and partly from "the prebendary of Peterborough;" also others purchased from the Lord Treasurer by Mr. Watson, who now makes an unreasonable demand for them, especially considering the casualties to which such leases may be subject, as he himself has proved in that very shire. He has three leases for Bricksworth which his grandfather compassed, yet was he driven to have a fourth composition. "The acts of the prebend of Sarisburie done in the later end of Henry the 8 were overthrown by Parrie, prebend thereof in King Edward the 6. Then came in Lady Marie, and made void the leases made by all married ministers, and of new my grandfather was forced to take it by lease from Geofferayes, that was prebend in Queen Marie's time. Then died Queen Marie, and Geofferayes was put forth

and Parrie came in again,* whose composition cost 100*l.* and all the best friends I could make. Therefore for mine own part I am so scarred with them that I would not give almost anything for such a lease." *Copy.* 2½ *pp.*

REASONS for and against a PETITION TO THE QUEEN.

[1584 or 1585.]—"Whether requisite to exhibite a supplication or no.

Objection. No likelyhood of good successe, as well for that lawes be dayly aggravated against us, [as] that in former yeares when we had more friends and lawes lesse penall then nowe are intended, we ever had bad successe in supplications, for the most part rather heaping upon us displeasure and severitie, then easinge or mitigatinge the same.

And lastlye that none will further our sute, but by all [likeli]hood will averse and crosse the same.

Response. Though some have quayed in their sutes, all have not. Yet suche had obteyned no favour without sute. Secondly, [her] Majestie is most mercyfull and hathe used great clemencie even now to the priestes, and therefore not to be doubted, in case her Excellencie understood our verie thoughtes and demeanure towards her Majestie and realme, but that her highnes would extend her mercyfull favour also to us, which to manifest otherwise then by supplication I see no convenient meanes left unto us.

Finallye, if her Majestie vouchesafe not the readinge therof, yet this good is likelye to ensue to us, that the Lords of the Councell and all other that shall understand therof, will conceyve better of us then happelye our adversaries have insynuated against us. And it hathe ever bene in all tymes for subjectes distressed to appeale to their prince for mercie and reliefe, wittnes Germanie to the Emperour, Flaunders to the kinge of Spayne, the Frenche to the kinge of Fraunce, the Protestantes in Queen Marie's tyme to her, as appeareth in Foxe, &c.

If requisite, then what pointes ne[cessary] to be conteyned in the supplication?

Objection. To manifest particularlye all our calamities, not to speake [of the] repeale of the statute of recusancie, because it is [not] like to be graunted, and for that manye be not touched therw[ith], and specyallye to beseche for our priestes as our spiritual pastors, and which most concerneth us because we must forgoe the blessed sacraments if they be abandoned the realme.

Solution. To manifest particularely all the calamities of Catholiques would be to tedious, would wonderfull exasperate and require longe, due and particulare collectinge and examininge; therefore better to touche them *obiter* generallye. Secondlye

* Henry Parry and William Geoffrey were successively Chancellors of Salisbury. Geoffrey, however, died just before Queen Elizabeth came to the throne; and it was his successor, Thomas Heskyns, who was turned out when Parry was restored.

it is no noveltie to see lawes repealed upon sute and just occasyon which lately weare formerlye made, wherfore it should seeme reasonable to praye repeale of the statute or else suche qualification as maye seme reasonable to her Majestie. And albeyt that some be more touched therewith then some other, yet everye Catholique feeleth in charitie the touche of his fellowe member. And as for the Petition of Priestes, the time should little [there]-to serve though our credittes weare muche better. But in justifyinge ourselves to say our knowledge of theyr conversation is necessarie and conve[nient].

What form.

Objection. Yt must be verye briefe, for so be all supplications exhibited [in] Courte, otherwise yt will not be read.

Response. There be two principall reasons why yt cannot be so briefe as supplications in Court commonlye are. First, because the contents be sundrye, as our miseries, our patience, &c.; our obedience, our dutifull acknowledginge her Majestie our undoubted Queene, our seekinge to satisfie her Majestie thereof, as also why [we] refuse cominge to the Church; our petytyon of repeale of the Statute, and finallie the clearinge ourselves for conversinge with priests who of manye are demed traytors, &c. Secondlye, where Petitions are briefe, there is some redy to backe, further, and amplye the cause or sute, which we by no possible meanes can attayne unto; therefore our supplication must beseche and also yeald reason for us, otherwise our cause shalbe untoulde. Wherfore yt behooveth rather to forsee that materiall points should be delivered, though at large, then to be so tyed to brevitye that our inward duties be obscurely touched. Where protestestation (*sic*) will not serve, there must invincible argumentes and notorious proove make supplie. Yet it is very convenient to putt it downe in as fewe lynes as convenientlye maye be, for seeinge allwaies that we have not more respect to the number of lines then to the validitie of our petition. All which may be done and yett far shorter then in the like hathe bene used by Protestantes to their kings and emperours.

In whose names to be exhibited.

Objection. Onlye in their behalfe that be acquainted therewith and who doe geve theyr consent unto yt; least uppon examination, we be reproved that manye weare not consentinge to yt, or else for want of suche examination, the Lords may take it as an universall consent, sollicitied throughe out all the partes of the realme; and so take the same offencyvelye against us.

Response. Wherin we be all grieved doubtles we all would be relieved, and wherein we shall protest our loyaltie and alleageance, we know that all Catholikes will doe the like; for Godes worde is the generall rule unto our conscience, wherbye we all are gwyded; therefore without further solleycinge our fellowes, we may presume to saye for them as for ourselves. And which maye be so aptlye qualyfied in wordes that yt maye be fullye touched without advauntage ministred against us.

Subscribed or no.

Objection. Supplications exhibited to her Majestie be seldom or never subscribed. Agayn, to subscribe unto the supplication but by a feawe doth not or cannot move so muche as that whiche passeth in the names of all or manye. Also yt is lesse offensyve, if offence should be conceyved against the supplication. Finallye to have a feawe subscribe is to declare that the numbre is small or else devided in this poynte.

Response. The reason why supplications are not subscribed whiche be exhibited to the Queene, is because the parties be present at the exhibitinge, or else is the supplication drawne in the particulare names of the supplicantes, which [is] as muche as to subscribe. And wheare there be multitudes that be supplicantes, there be some feawe chosen in whose names the rest be com[prised?] and so in this. Also yf this supplication should be offensyvelie taken, then would not the case dyffer in subscribinge or not subscribinge, [in as] muche that uppon inquierie the partie exhibiter would and might manifeste who weare acquaynted therewith. Furthermore, to have a feawe subscribe is no argument of the smalnesse of our numbre, for that is so notoriouslye knowne to the contrarie that it is not in us to abridge by so sleight a conjecture, and not worthie answeringe is that objection that suche subscribinge should notyfie some dissention in this pointe betwene us, where ever hathe bene firme unytie and concord both in obeyinge and sufferinge. Finallye, who will present the supplication, when the parties thereto refuse to subscribe unto yt.

All be not alike touched, therefore howe can all joyne.

Objection. Though some have tasted of one calamitie and some others of other miseries, yet howe can all they who do subscribe saye that these calamities and these we have tasted of. Also it maye be that in generall touchinge of our miseries, we maye mentyon some that none which have subscribed have any waye tasted therof, for the most rigour and misery have lighted uppon the meane sort whiche are not likelye to be any of those whiche shall subscribe.

Response. The supplication ys not onelye exhibited by those feawe which h[ere] shalbe present about the cytie to subscribe, but also for the genera[ll] body? of all our fellowe Catholiques, and therefore they consequentye [are] parties to the supplication, as well as they who for their present r[esidence?] heare have subscribed.

When to be delivered.

Objection. The soner the better, and happelye yf the Parliament doe heare yt, then will they pytie our estates and helpe to relieve us.

Response. Yf no strayter lawes be intended against us, then weare yt [super]fluous to make petition to remove the thinge that neither is [nor] yet intended at all against us. And in case yt should be yet [more] convenient to see howe God will worke

in theyr myndes, then staye it. But yf it should not, I hope without offence of Par[liament] we may appeale to her Majestie our head and verie founteyne of mercie.

And fynallie, to exhibite yt before just cause, it [may] greatlye exasperate the Parleament howse against us.

Objection. What yf this supplication doe procure all the supplicantes to be examined uppon captious questyons as some hearetofore have tasted of in the like &c.

Response. Then to aunswere as becomethe a dutyfull subjecte and good Christian, to the which we also shall aunswere whensoever authoritie pleaseth, albeyt no supplication be at all exhibited.

These poyntes I have hastelye scribeled up not to direct you in any sort but onelye to stirre suche matter as in your prudent deliberations maye be censured, to the satisfyng of her Majestie, to the no offence of high courte of Parleament, to our reliefe both of body and soule, and to the honour and glorie of allmightie God. God graunt yt. *Probably drawn up by Sir Thomas Tresham, although not in his hand.* 3½ pp.

Petition of LOYAL CATHOLIC SUBJECTS to THE QUEEN.

[1585, beginning of.*] "To the Queenes most excellent Majestie.

"We your Majesties Catholique and approved loyall subjectes prostrate before the feete of your sacred Majestie, doe most humblye besече the same benignelye to peruse and graciouslye to consider of our lowlye and necessarye occasyoned supplication herewith exhibited, wherin protestinge yt to be our verie bounden duety irrevocablye to beare to your right excellent Majestie all loyaltie, faythe, and christian obedience, as to our undoubted, rightfull and onlye soveraigne Lady and Queene, we do yealde some feawe reasones, sufficient (we hope) to free suche actions of ours as are perhaps estemed to be of greatest scandall to your Majestie and our deare native countrey, with an open detestation of that trayterous and unnaturall practice of Parrye and all other who were privie and consenting to his intended damnable sacrillege. Lastlye diverse verie lamentable miseries are brieflye expressed, whiche have bene a longe tyme by us indured, besydes more straunge and far greater calamities daylye fore threatened us, for requisite prevention and spedye redresse wherof our onlye refuge is simplye to submitt our innocencie and harmeles thoughtes to the mercyfull protection of your sacred scepter, ordeyned no doubte by Gods divine providence to afforde reliefe and comforte to us afflicted, who otherwise shall remayne the most remedyles and miserable outcastes of the worlde."

* This is evidently (at any rate, in substance,) the petition mentioned in Strype as presented by Shelley to the Parliament. *Annals of the Reformation*, Vol III., part I., p. 432. Shelley headed the list of those concerned in drawing up the petition with the names of Lord Vaux, Sir John Arundel and Sir Thomas Tresham, and it was probably composed by Tresham.

The Supplication.

“To the Queenes most excellent Majestie.—Most mighty and most Excellent our dread soveraigne Ladye and Queene. The necessitie of our lamentable case hath imboldened, yea necessarylye inforced us your Loyall Catholique Subjectes to present our manyfold griefes and miseries to the mercyfull viewe of your gracious Majestie. We could still have bene contented (as hitherto we have bene) with sylence to have made vertues of excedinge great necessities: But nowe (most gracious Soveraigne) The lawe of God and nature doth counsell us to appeale unto your most excellent highnes our headspringe and fountayne of mercie for the lightninge of some heavie yokes which by common reporte we have just cause to feare are intended shortlye to be layd upon our weakened and wearied neckes. To speak unto so potent and prudent a Prince as yt may be reputed boldenes, so not to speake in a poore and distressed Subjecte may be deemed gultytnes. We doe therfore (most deare soveraigne) with all humilitie and no lesse sorowe, crye out and complayne that our afflicted hartes have conceived an unspeakeable griefe, ffor what wounde canne be so mortall to the bodye as treasonable occasions to innocent myndes. We your Catholique Subjectes whiche hitherto have bene, and ever will be as well carefull to please your Majestie as not to displease almightie God, what lamentable state was ever like to ours, that we (poore wretches) in discharginge our consciences towarde God, are reported of (and that before your sacred Majestie) to be evill affected towardes your Royall personne, and princelye dignities; and that upon the vile action or intent of every lewde personne we all must be condempned to beare trayterous myndes, And in books daylye prynted against us we are most odiouslye termed Bloodsuckers, and by uncharitable exclamations it is published that your Majestie is to feare so manye deathes as there be Papistes in the lande.* Would God our hartes mighte be layd open to the perfect viewe of your Majestie and all the world, no doubt our thoughtes shall appear correspondent to the expectation of so mercyfull a Queene in all lovinge, true, and faythfull subjection, and would gieve due desert of mercye for rewarde. For (most deare soveraigne) where our greatest accusation ryseth upon our Recusancie, or absence from the Churche, whiche hathe devoyded us of all your wonted gracies and speciall favoures, we take almightie God to wytnesse that this our refusinge and absentinge ourselves is not grounded in us upon anye contempte of your Majesties Lawes, or any other wylfull or trayterous intent, but altogether upon meere conscience and feare to offend God. This God knoweth, the searcher of all hartes. And to the end that our synceritye and duetyfull meaninge may appeare the better, we doe protest before the face of the Eternal God and Lord of us all, and doe crave his dreadful indignation in this world and sentence of endles dampnation to be our portion in another world yf we doe practise,

* *Margin:* “Monday, Stubbs.” [witnesses against them.]

speake, or wryte any thinge in this pointe more or lesse in respect of any worldlye pollicie, but onely as the duetie of every christian Catholique byndeth. In whiche opynyon yf happelye we be deceyved, yet yf we should doe contrarye to that we thinke in conscience to be right we may justlye be accompted menne voyd of all grace and honestie, pretendinge one thinge in showe, and thinkinge otherwise in harte, false dissemblers hatefull to God and manne and in truthe the worst and most dangerous Subjectes that may be in anye common wealthe, as aptest to any wicked or desperate Attempte. No lesse ys verified in the late most horrible example of that Monster Parrye, whose detestable indeavoures doe give evident testymonye that the cruell Viper (ever temporizinge, and makinge shipwracke of all fayth and Religion) hath therby at lengthe lost both tast and habite of the grace and feare of God. Lett suche diabolycall dissimulatyon, and trayterous thirst after hallowed blood, sinke both him and his confederates accordinge to Gods Judgementes, to their deserved doome of deepe damnation. We for our partes utterlye denye that either Pope or Cardynall hath power or authoritie to commaunde or lycence any manne to consent to mortall Synne, or to committe or intend anye other Acte *Contra Jus divinum*. Muche lesse can this disloyall, wicked and unnaturall purpose by any meanes be made lawfull, to wytt, That a native borne subiect may seeke the effusion of the sacred blood of his annoynted Sovereigne. Whosoever he be therfore Spirituall or Temporall, that maynteyneth so apparent sacryledge, we therin doe renounce him and his conclusion, as false, develishe and abominable. But nowe to returne to our purposed matter. We doe promise, that we will hereafter be readye and willinge to resorte unto Churches and other places where publique excercyse of prayer ys used yf the Learned (nowe assembled in Convocacyon) shall be able by sufficient groundes of Divinitye to prove (to the Learned of the catholique Church) that we beinge in Religion Catholique, may (without commytting mortall synne) frequente those Churches where the contrarie Religion is professed and exercised. Yf conscience (onely) had not pressed us in this poynte, those of our Religion would never have suffered therfore so manye disgraces and impoverishmentes. Oh that the mercyfull eyes of your clemente pryncelye nature coulde but see the contynuall teares, the straye Imprysonments, the reprochefull Arraignementes, makinge no difference in place nor tyme betweene Murtherers, ffelons and Roges and betwene gentlemen of all degrees descended of honourable and worshipfull parentage, their Arraignementes beinge onelye and directlye for matters of Conscience, As also the famyne and miserable end of divers in pryson, the pytyfull whippinges, the Penaltie of xxⁱⁱ the moneth, by reason wherof many good and worshipfull householders, their wives and children, are broughte to extreame povertie, many stand outlawed, and numbers of poore soules remayne Prysoners for that cause, besydes manye other straunge distresses of Catholiques, whiche miseries (heretofore not thoroughly knowne unto your Majestie) have bene and are digested with myldnes and tempered

with duetyfullnesse, hopinge that (now at lengthe) our approved patience shall move your most tender harte to have some pytye and compassion of us. Moreover (our most gracious, dreade soveraigne Ladye and Queene) yt may please your most excellent Majestie to grant us the grace and favoure to heare the unfoldinge of one greater and more daungerous calamitie hanging over our heades, for as muche as nothinge is more often and deepelye to be called to our myndes then the frayltie of manne, and howe apte and prone we are to all synne and wickednes, for the stay and remedye whereof our Lord and Saviour Jesus Christ hath instituted and lefte behinde him most holye and Blessed Sacramentes for the comforte of mankinde, and hath commaunded the use of them to be contynued, and practised in his Catholique Church as the condittions of his grace, without whiche the benefitt of his deare passion can not ordinarilye discend or be aplied unto us, as by which we are receyved, confirmed, remitted, fedd, governed, multiplyed, and absolutely prepared to lyfe everlastinge: Which benefittes are to be valued at no lesse price to us, then they weare to our forefathers, who religiouslye esteemed the wante of them more daungerous and discomfortable then death ytselpe, wherof the ordinarie Ministers are and alwayes have bene Catholique Bysshoppes and Priestes lawfully called and annoynted to that charge and spirituall Authoritie, whome by dyvine ordinance we are bound to heare, receyve, and obey with due honour and reverence, and to seeke unto them (as to the dispencers of the Mysteries of God) for counsayle and helpe, howe to live and dye in the love and favour of him who hath power to cast both the body and soule of his enemies into perpetuall Torment of hell fyre. Havinge entered into discourse of priestlye functions, in consideration of all whiche necessarie poyntes for the humble and true purgation of ourselves, we doe protest before the lyvinge God that all and every Priest and Priestes, who have at any tyme conversed with us, have recognised your Majestie their undoubted and lawful Queene *Tam de Jure quam de facto*. They speake reverentlye of you, they daylye praye for you, they zealouslye exhort your Subjectes to obey you, they religiously instructe us to suffer patiently what authoritie shall impose upon us, yea they precisely admonishe us, that it is an heresye condemned by general counsell for any Subjecte to lyfte up his hand against his annoynted. This is their doctryne: thus they speake, thus they exhorte. And yf we knew or shall knowe in any of them one pointe of Treason or treacherous device or any undecent speache, or any thought injurious to your royall personne, we doe bynde ourselves by Othe irrevocable to be the first apprehenders and Accusers of suche. Yf nowe (most gracious Ladye) those Priestes who have not at any tyme bene detected, accused, or charged with any Acte or devise of Treason, should offer to contynewe and live within this your Realme, and (for so doinge) shalbe adjudged Traytours, be yt for their cominge hither or contynuanee here, or for the practisinge and ministringe of the Blessed Sacramentes onlye, Then consequentlye we your faythfull lovinge Subjectes are like to be capitallye touched

with the same Treason. And we knowe by no possible meanes howe to cleare and kepe our selves free from yt, for when the Prophettes and annoynted Pryestes of God, moved by zeale to gayne soules, doe repayre hither to distribute spirituall comforts accordinge to every mannes neede, and cominge to our gates doe crave naturall susteynnance for their hungrie and persecuted bodyes, proferinge us also ghostlye foode, and medecyne for our uncleane soules, what shall we nowe doe? We doe verelye believe them to be Priestes of God's church. We doe certeynlye knowe that they daylye pray for your Majestie, their predecessors in that calling have ministred Baptisme and Confirmatyon unto your Majestie by their mynistrye. Your Majestie ys annoynted Quene, and ordinarylye and rightfullye placed in your Regall Seate as all your Auncestors have bene. O (poore wormes) what shall nowe becomee of us? What desolacion are we brought unto? O God and heavens, earthe, and menne wytnesse with us and pleade our cause. O most lamentable condicion. Yf we receyve them (by whom we knowe no evill at all) yt shalbe demed Treason in us: Yf we shutt our doores, and denye our temporall reliefe to our Catholique Pastors in respecte of their function, then are we alreadye judged most damnable Traytors to almighty God, and his holye members, and are most guyltye of that curse threatened to light upon suche as refuse to comforte and harbour the Apostles and disciples of Christ, sayinge, *And whosoever shall not receyve you nor heare your wordes: Trulye yt shall be easier for them in the land of Sodome and Gomorha in the daye of Judgemente*; Against which irreproveable sentence we may in no wise wrastle. Behould (O gracious and most liege Sovereigne) into what straytes we are plunged. Be favourable we beseeche your Highnes unto the lyves and soules of menne. It is the force of your Royall worde, and the protection of your large prerogative, that canne (onlye) disperse these stormes, and directe us to the calme and safe haven of Indempnitye of consyence. The myndes of menne (most highe and Royall Sovereigne) are commonlye uttered in their willes, and their willes with affections are expressed in their wordes and deedes. Lett our deedes (therfore) thoroughlye be examined, and there shall be found harboured neither in our willes evill affectes, neither in our myndes disloyall thoughtes. Wherefore with most deepe sighes, prostrate before the Throne and at the feete of your highest Royall Majestie, We with all humilitie doe submitte these inward and most lamentable griefes. And albeyt that manye wayes we have bene afflicted, yet this affliction folowinge (yf it be not by the accustomed natural benignitie of your Majestie suspended or taken away) will light upon us to our extreame Ruine and certeyne calamytie: That either we (beinge Catholiques) must live as bodies without soules, or else lose the temporall use both of bodye and soule. O (most mightie Queene) lett your excellent and heavenly vertues nowe take their chiefe effectes. Lett your rare and incomparable wisdomme enter into the consideracon of these Poynetes. And lett that oryent, pearles, and glorious worke of nature, whiche (in your Royall personne) hathe

so manye wealfull yeares shyned among us, and ministred most bright and comfortable beames of grace to all menne: Lett this unspeakable and singuler good nature of yours (deare Ladye and Queene) delighte to worke an other thinge like yt selfe or (at least) dislike to suffer a thinge contrarye to yt selfe: Unite the bodye and the Soule together, Suffer us not to be the onely outcastes and refuse of the worlde, Lett not us your Catholique natyve Englishe and obedient Subiects stand in more perill for frequentinge the Blessed Sacramentes and excercysinge the Catholique Religion (and that most secretlye) then doe the Catholique Subjectes to the Turke publiquelye, then doe the perverse and blasphemous Jewes, hauntinge their Sinagoge under sundrye Christian kinges openlye, and then do the Protestantes enjoyinge their publike Assemblies under divers Catholique kinges and Pryncies quietlye. Lett yt not be Treason for the sickman in bodye (even at the last gaspe) to seeke ghostlye counsell for the salvation of his Soule of a Catholique Pryest. So shall both Soule and bodye spirituall and Temporall (accordinge to our ever most bounden duetye) serve you trulye and pray for your longe and most prosperous Reigne effectually. Then shall this your gracious Tolleration sound out your most famous memorie so tryumphantlye to all Nations that the same shalbe presented of Recorde from age to age and consecrated to Endlesse glorye and Renowne. Accepte (most mercyfull Prynce) our faythfulnes, Regarde our dutyfull hartes, despise not our sincere affections, Lett our rehearsed miseries be relieved with your renowned mercies. Accompte those Subjectes undoubtedlye to be faythfull, in whose Actions and lives hath appeared a chiefe and speciall care not to offend God. It nowe behoveth us most humblye to crave your Majesties gracious pardon for that we have not observed the usuall brevytie of Supplications, being destitute of friends to speake in our behalfe, we are dryven to sett downe somewhat largelye by wrytinge, that whiche might with speache (with lesse tedyousnes) have bene uttered. Finallye we make our humble petitions that your Exellencie will give suche credytt and affyaunce to our wordes and Othes, that we may from henceforth be deemed cleare and voyde of all suspition both in thought, worde, and deede to refrayne publike placies of prayer onelye for feare to fall into damnable synne and not in any hope or regarde of worldlye preferment or pollicie. Secondlye to have that pytyfull consideration and remorse of our Calamities as may be thought most expedient for the comfort of us afflicted and most agreinge with your Majesties gracious pleasure and good likeinge. Thirdlye and chieflye not to suffer any lawe to be made, whereby all Catholique Priestes of this Realme shall be banished and their Recceyours made Traytors. Graunte (O mercyfull Queene) that we may doe the workes of mercye to Goddes Priestes, so longe as they pray for your Majestie and use themselves dutyfullye to your highnes. We are the more encouraged thus boldlye to intreate with your Majestie because in former yeares it hath bene delivered in Pulpitts, and published by books of late prynted and otherwise divulged, that your Clemencie neither hath or will punishe any

of your Catholique Subjectes (for their conscience in matters of Religion) with death. For our owne partes what successe soever shall grow unto us by reason of this our humble Supplication, we doe advisedlye and firmlye vowe to God that your Majestie shall finde us suche Subjectes as God requireth, and your Majestie desireth, that is most obedient first to God and next to your Highnes most lovinge, most loyall, and most dutyfull. Our Lord God preserve your Majestie to our inestimable Joye and your endlesse felicitie. Amen. *Three sheets.*

ACCOUNT BOOK.

1585-6.—Small private account book, probably of George Levens, Sir Thomas Tresham's steward, giving his expenses from the 1st of January onwards.

At the beginning he states that he received "upon New Year's day," 5s. from Sir Thomas and the same from his lady, besides 10s. for his charges and trouble, 50s. for wages at our Lady-day, and 10s. from Mr. Vavesor, and that he had in hand and owing on this same 1st of January 4*l.* 13*s.* 4*d.* The last date mentioned is April 19. The items include two hats, at 3*s.* 8*d.* and 5*s.* 8*d.*; 7*s.* for silk and lace for a cloak and 3*s.* for the making; 16*s.* for "a doublet and hose made at Easter"; three pair of stockings at 3*s.*, a pair of boots at 5*s.* 6*d.*, three pairs of pumps at 12*d.*, and seven pairs of shoes, at prices from 12*d.* to 18*d.* Ten-pence was paid for the soling of a pair of shoes, and 4*d.* for "footing" a pair of stockings. There are other small expenses, such as paper, barber, charges on going to Oxford, &c.—also "lost in my purse" 6*s.*, and "lost at cards" 15*d.* 5 *small pp.*

HUGH ERDESWYKE.

1586, April 9.—Bond of Hugh Erdeswyke of Isselinton, co. Middlesex, esquire, to Sir Thomas Tresham, for 10*l.*, to be repaid at or before the last day of June next. *Signed and sealed.*

SIR THOMAS TRESAME to ROBERT BRUDENELL, Hatton House, Holborne.

1588, April 4. Bugden.—Praying him to remit the trespass committed against him "for his conies" (the culprits being very penitent) and thus to procure himself to be commended amongst his neighbours for his good nature "inclinable to remit injuries."

Postscript.—"My hand is so bad that I doubt you cannot read it, and so much the more unlegible that I have hastily scribbled it according to the haste of the bearers hereof." *Draft.* 1 *p.*

JOHN FLAMESTED TO SIR THOMAS TRESHAM.

1588, May 9. London.—Has seen Mr. Dale and Mr. Whaley (who have authority from their master to sell), concerning Bene-feild, and has told them that their demand of twenty-five years purchase is too high, "in respect of the time now, wherein few

men would deal except they might have a rich bargain." As their business is dispatched and they are ready to go out of town on the morrow (Friday) and will pass by "St. Eves," he has asked them to carry this letter, and conclude or break off with Sir Thomas himself. Will impart the purchase to Mr. Browne, Mr. Rooper and Mr. Halsey. Has been troubled by pursuivants, but "set the three lettered fellows on 'leye' ground." His brother Lane is still in the Counter, but hopes for his delivery. 1 p.

SIR THOMAS TRESAME to EDWARD MAXEY, servant to Sir Francis Walsingham, Principal Secretary of State.

1588, May 30. Bugden.—Yours of the 16th of this present I have received, and according to your request, hasten my answer to you. "Your Master his honourable dealing with me I cannot in any wise misdoubt, who dealeth true, honourably and justly with all persons. Very glad am I to have my cause wielded by his honour, who knoweth my poor and deep distressed estate, and how difficult it is for any in same predicament with me to take up money to pay debts withal. . . . It cannot be unknown to his honour how it standeth upon my undoing, should I fail in half-yearly payment of such great sums of money as by a late statute I am bounden to pay into her Majesty's Exchequer."

The principal debt [due from Baull] is 400*l.*, to which value he had fat cattle, "of such price as was every man's money. . . . I have sold the like since for greater prices and shorter days of payment, though wools wonderfully fallen, almost half in half, money generally more scant by much, and myself in most need and want."

To conclude, I am bound to pay 300*l.* into the Exchequer at the end of Michaelmas term next, and 300*l.* more in Michaelmas, 1589. If Mr. Secretary will discharge me of one of these two bonds, and pay me 100*l.* at Michaelmas, 1590, I will discharge Ball's bonds, or assign them to such as his honour shall nominate, if the Exchequer will permit of such course, these bonds being assigned over to her Majesty's use. *Draft.* 3 pp.

Underwritten: Directions by Sir Thomas to one of his servants to copy out the above in a small hand, "because the letter is long, and is like to come to Mr. Secretary's perusing."

SIR THOMAS TRESAME to ROBERT BAUDE, in Foster Lane.

1588, June 2. Bugden.—Requesting him to lend a dear friend of his 500*l.*, explaining the security which would be offered for the same, and asking that the matter may not be talked about, as his friend would not have it go from one moneyed man to another, "to have it registered in their books or to hang in the mouths of brokers." *Draft.* 1 p.

Underwritten: Order to George [Levens] for the letter to be written out legibly, to be sent away to Mr. Baud.

————— to SIR THOMAS TRESSAM at Bugden.

1588, June 13. The Inner Temple.—Mr. Flamsteed has shown me the draft of a book between you and Mr. Zowche of a purchase wherein you use my name among others. I would gladly pleasure you, “but since (I am informed) the purchase you have in hand is a thing which my Lord Chancellor is also in hand to purchase, so as some unkindness may thereby grow; and in respect of many favours my Lord sheweth me, as on whom I most depend, he may conceive evil of me to be a party in anything that were to his displeasure. Therefore, as mine advice were, yourself without great cause should not deal in it if it be so. So, good sir, if you mean to deal, yet use rather some other of your friends than my name in it.” $\frac{1}{2}$ p. *Signature torn away.*

SIR THOMAS TRESAME to EDWARD MAXEY, servant to Sir Francis Walsingham, Principal Secretary to her Majesty.

1588, June 29. Buckden.—The solicitor of my law causes has delivered me your letter concerning Bawll’s debts. “Where you offer me as good composition as the residue hath, I thank you, but to help me thereto, I will give you 40*l*.” One of the two parties mentioned by you is Mr. Spencer, my countryman, whose debts, like mine, were for fat cattle, and not for usury as the other creditors were. “How Mr. Massham, Mr. Cooke, Mr. Tempeste, my cousin Throkmorton, Mrs. Hoolte, the widow, are paid you well know, so do I, and all since his bankrowting. I see no reason, Mr. Maxey, why I should be worse dealt with, that have deserved best, and worst may bear it.” [The rest of the letter contains divers proposals for arranging a composition.] *Draft. 1½ pp.*

EDWARD MAXEY to SIR THOMAS TRESHAM.

1588, July 4. Cheswike.—I have received your letter, with your commendable opinion of that honourable magistrate my master, in which you do well, for he would have you as favourably dealt with as any. You have the same composition as Mr. Spencer freely, “without 40*l*. which you offer in your letter, for surely, Sir Thomas, my profession in the gospel bindeth my conscience to deal without rewards for so good a Christian and honourable magistrate as I serve.” [Details about the business.] 1 p.

SIR THOMAS TRESAME to MR. MAXEY.

1588, July 11. Bugden.—Acknowledging his letter of the 4th inst. and stating that what he has offered is so reasonable for Baull and so unreasonable for himself, that he will “rather sit down by the whole loss than yield to further.” As to his having as good a composition as any other, he asks pardon for being of “a far contrary opinion,” as witness Sir John Spencer’s debt and the large payments procured by his son, Mr. Thomas Spencer, mostly

from the sheriff of Buckinghamshire, when he (Tresham) should have been paid first, and the Spencers have not lost a penny of their principal. Neither does he grudge at this, for he wishes them very well, both for their father's sake, who was his very good friend, and for their own, "who deserve to be well wished unto of all that know them." Understands that his letters have not yet been mentioned to Mr. Secretary (through his weighty businesses) but hopes they may be submitted to him. 1½ pp.

SIR THOMAS TRESAME to LORD MORDAUNT.

[1588.] Bugden.—Excusing himself for not having been able to make certain payments into the Exchequer, for which his lordship stands surety, and stating that it is impossible to borrow, his credit being so impaired that with sureties and statutes he cannot borrow a hundred pounds, "that was wont to have been trusted for a thousand, upon a bare bill" of his hand. Is doing his utmost to procure the money, or release from the bond. 2 pp. *Draft.*

SIR THOMAS TRESAME to SIR GYLBERT GERRATT,
Master of the Rolls.

1588[-9], February 20. Hogsden.—[The first part of the letter is wanting. It apparently contained Sir Thomas's reasons for not having earlier sent certain moneys.] I will not plead my eight children, "none of them married, nor money, God knoweth, levied for their marriage," my manifold payments to her Majesty (2,800*l.* and more within the last eight years) or my losses by 'bankroots,' and least of all that which is common to many others, my oft contributing to services of charge or the decay of my revenues "through want of good vent of wools and this year's exceeding loss by death of cattle. . . . So far am I from drawing backward in this service that I only would not willingly lend this sum but joyfully and freely give it and a far greater, yea as much of my lands as her Majesty shall think good in this so just and honourable a cause as is the defending of her Majesty's realm my native country from all hostile invasion, . . . from which He deliver us who with his mighty hand hath many and many ages freed us from all dread of the like." *Imperfect draft.* 1 p.

From LADY TRESHAM'S ACCOUNTS.

1589, July 31.—"A briefe of the charges and expenses charged in my Ladys accompte booke since Mich., 1588, unto the laiste of Julie, 1589."

Howshould charges. Disbursed in the kitchen booke for beefe, mutton, lambe, veale, capons, conneys and other accates, also for wine, breade, beare, fewell, spice and such like in the tyme above sayd - - cccclvj*l.* xvs. ix*d.* ob.

Disbursed in other charges as foloweth.

Lawe charges. For lawe charges to Mr. Flamsteade xxl. and vl. Also at Parries suit against Nich. iiij. s. ijd. Mr. Bawde his fee xxvj. s. viij. d. - - - xxvj. s. xl. } xlj. xiijs. ijd.

Phisicke. Phisitions and surgions, and phisicke besides the appotecaries byll in this space - - - xvl. ijs. iiij. d.

Riding charges. Rydinge charges as for horse hyer, and for the expences for horse and manne in journeyinge xijl. xiijs. ijd., whereof vjl. xixs. ijd. was onlie for journeyes to Elie - - - xijl. xiijs. ijd.

Cochehorses and others. The charges of the coache horses for their kepinge and foringe [forage] &c. Also the kepeing in the stable at Hogsden of other horses at tymes, as Mr. Flamsteads, Mr. Vavasors, Laylams, Walkers &c. - xijl. xvjs. xd. } xlvjl. xs. iiij. d.

Coche furniture, &c. Furniture and reparacions about the coache also furniture for horses as bridles, sadles, &c. iiijl. xiijs. ix. d. wherof only for coache wheeles iiijl. - - - iiijl. xiijs. ix. d.

Travayling. My Lady's charges from Rushton to London at her coming upp the xxijth of Oct. 1588 every waye as for horse and manne, and cariage of stuffe - - - xvj. iij. s. vjd.

Debtes discharged. Debtes dewe at Michaelmas 1588, and since payd by my Lady, viz. to Mr. Browne, Mrs. Roper, Barradell, Stone and others. Also to make upp money payd into the Exchequer lxl. Note that of the money payd to Mrs. Roper xvl. was for interest of money borowed of her husband - celvl.

Stipendes and waiges. Rentes as for the howse, barne, close, and stable, &c. Also for anuities and other stipends for teachers, as for my Lady Stourton, my Lady Mountegle, Mr. Halsey, Mr. Morris, Mrs. Judith, Mr. Yveson, Mr. Cuttings, also servauntes waiges - clijl. xijs. xd.

Giftes and Rewardes. Giftes and Rewardes lxxiiijl. xvijs. viij. d. (sic)

Wherof to my Lady Wals[ingham?] in playte, xl.

At 'neweryeartyde' and in Christemass xvl. xs. iiij. d. wherof to trumpettors, iiijl.

In lesser and more sommes geven in rewarde and charitie, - xxxijl. iiij. d. } lxxl. xs. viij. d.

Also geven to my Lord Mountegle and to Mr. Henrie and to others by their meanes in money and valewe, as pictures, &c. - xiiijl.

NECESSARIES.

Howshould stuff. Necessaries, as hows-
hould stuffe, viz., wollen, lynninge,
beddinge, vessells as brasse, pewter, &c.,
glasses, case knives, pottes, jackes, playtes,
trenchers, &c. - - xiiijl. xiijs. ixd.

Other necessities, as lute stringes,
virginall wyer, mendinge of musicall
instrumentes, paper and ynke, and bookes
for the children; bookes for my lady.
Sylke, threade, needles, pynnes, starch,
bote-hier, brushes, portage, barbers, waxe
lightes and such like, and Harrold xjs.
xijl. xiijs.

xlvj. xixs. jd.

Reparacons, as smithes, carpentares,
joyners, bricklayes and plomers and
glasyers worke in mendinge ould or makinge
thinges newe, as lockes, keyes, presses,
bedsteades, the pompe, &c., also gardeninge
and worke done in the orcharde, ixl. xjs. ijd.

Interest. For interest payd by my
lady besides what as (*sic*) was payed by
Master - - - - xjl. xiiijd.

Apparell for my lady - vijl. ijs. vjd.

The Lady Stor[ton]. Necessaries bowght,
and money delyvered at sondrie tymes to
the Lady Stowrton to buy necessaries
not in particulare putt downe in the
booke - - - - xvjl. vs. xd.

Lady Mountegle. Necessaries bought
and money at divers tymes delyvered
the Lady Mountegle to buy necessities
not in particulare charged in the booke
xxiiijl. vijd.

A ringe - - - - xviijs. vjd.

The Children. Apparell and necessities
for the children, viz., Mistress Katherine,
Mistress Marie, Mistress Anne, Mistress
Bridgett, Mr. Lewes and Mr. William,
xxviijl. vs. ijd.

lxxxjl. xs. vijd.

Disbursalles not charged. Delyvered
to Halsey by sundrie parcelles and at
sondrie tymes from the first of Januarie
unto vjth of Feb. vl. xvijs. ixd. which
as he receyved yt he made my lady
accompt of yt as beforehand disbursed so
that afterward he made no more accompt
of further reconing and my lady after a
month expired had forgott the parcelles,
so that yt appeareth not in particular
vl. xvijs. ixd.

My Master his charges. Money sent to my master at Elie xxxvj^l., from Mich: till his coming away, also payd to Mr. Hare iiij^l. whereof xls. borrowed in the waye from Elie and 40s. at Lambeth - xl^l.

Necessaries sent to my master at Elie. Also giftes at Lambeth uppon his delyverie, charges growing first in procuringe his remoove from Elie, and since for his libertie into the countrey. Divers disbursalles also at his direction as for some bookes, also for elmes, settes, &c., sent into the countrey - xxiiij^l. vis. viij^d.

lxiiij^l. vjs. viij^d.

Apparell for my Master. For apparell for my Master sent to Elie, as also sence his coming to London unto the last of Julie. Powles his bill excepted - -

xxiiij^l. xixs.

Somme total of my Master his charges

87^l. 5s. 8d.

Somme total of the charges disbursed in the booke of accompts from Mich., 1588, unto the last of Julie, 1589 - - mcccxxxviiij^l. xvijs. ob.

THE HOUSEHOLD AT HOXTON.

[1589?] No date, but found with the brief of charges above.

Sir Thomas Tresham, expences - -

The Lady Tresham, expences^a - -

Mr. Lewys and Mr. William Tresham, ordinarie charges - - - -

xl.

Foure younger daughters, ordynarie charges - - - -

xxvj^l.

The rent, viij^l. ijs. and reparacions of the howses - - - -

xiiij^l.

The provision of wood and cole - -

xxx^l.

The reparacions of utensiles - -

xx^l.

The provision of bread and beare -

lx^l.

The provision ordinarie of fleshe meate for the ordynarie houshold - - -

The provision extraordenarie of fleshe meate for strangers above the ordynarie expences - - - -

Doctor Freare's fee - - - -

vi^l.

The expences for cariages and portage out of the countrey - - - -

The expences of wyne - - - -

The expences in keping of ij coach horses

The hyring of hackney horses

vil. xiijs. iiij^d.

* *In the margin.* Allowing 400^l. for the house, 120^l. for my father's and mother's and 210^l. for other ordinary charges. So ther remaines out of 800^l. 50^l. (*sic*), allowing three strangers in ordinary.

THE SERVANTES NAMES AND THEIR SEVERALL WAGES.

Rowland Ridge his wages	-	-	vl.	liverie	xxxs.
Edmund Halsey his wages	-	-	xl.	liverie	xxxs.
George Evans his wages	-	-	vl.	liverie	xxxs.
George Fulshurst his wages	-	-	iijl. vjs. viijd.	liverie	xxxs.
John Baker his wages	-	-	lijs. iiijd.	liverie	xxxs.
William Ruffote his wages	-	-	vil. xij.	liverie	xxxs.
Mawrice Hilton his wages	-	-	vjl. xij.	liverie	xxxs.
Clement his wages	-	-	xl.	liverie	xxxs.
Robert Diccons his wages	-	-	xl.	liverie	xxxs.
Samuell the turkey man	-	-	vjl.	liverie	xxxs.
The boye with hym	-	-	xxs.		

THE LADY MOUNTEGLE AND HER SERVANTES.

The Lady Mountegle her expences	xxxl.		
Her gentlewoman, Merill Vava[sor]	vl.		
Her chambermayd Dorothie Rideall	xxxs.	liverie	xxxs.
Her servant — Midleton	-	-	iijl. vjs. viijd. liverie xxxs.

THE NAMES OF THE WOMEN SERVANTES OF SIR THOMAS TRESSHAM.

Mawdlyn the Frenchwoman	-	xl.	liverie	xxvs.
Alyce the chambermayd for the				
children	-	-	xxxs.	liverie xxxs.
Isabell Brokes the coke	-	-	iijl. vjs. viijd.	liverie xxxs.
Elizabeth Turner	-	-	xxvjs. viijd.	liverie xxxs.
Anne Parker	-	-	xl.	liverie xxs.

CHARGES FOR FYSHE AND SPICES.

Charges ordinary for fyshe.

Charges ordinary for butter, chese, salt, vynegar and such lyke.

Charges ordinary for spices, as sugar, pepper and such lyke.

MERILL, LADY TRESAME, to the LORD TREASURER.

1589[-90], March 21.—“ I humbly beseech your good lordship to bear with my importuning in the behalf of my husband's health. If any exception were to be taken for his safer keeping at Eely than at Bandburye, or it were nearer to any of his houses there than at Eely, or else should wrong any by his placing at Mr. Fynnes, I should then have contented myself with what I could not but have sorrowed ; but since under your honourable correction no such exception is justly to be taken, I beg it of your lordship to be humble suitor to your honour for his remove^a to Bandburye alonely for his health's sake, I protest before Almighty God ; and that the rather I presume of your lordship's favour herein, who ever hath been his very principal means in like matter of relief, for the justness of his [requests] not for any

^a i.e. alteration in the order of commitment.

merit of my husband's," appealing to your lordship as the very principalest in this commonwealth under her Majesty, and daily praying for your preservation in all felicity. 1 p. *Draft in Sir Thomas Tresham's hand-writing. Overleaf: Another copy of the following letter.*

LADY TRESAME to SIR THOMAS CECIL.

1589[-90], March 21.—Praying him to further her suit to his father that her husband "might be prisoner at Banbury, not at Ely," on account of the bad air of "that filthy and fennish country."

Underwritten : "This was mistaken. Mr. Arundle would have it directed to the Lord Treasurer." *Draft by Sir Thomas.* 1 p.

SIR THOMAS TRESAME to the ARCHBISHOP OF CANTERBURY
and other LORDS of the PRIVY COUNCIL.

1590, March 25. Hogsden.—Silence would cause my conscience (right honourable and my very good lords) to accuse myself of notorious want of duty to her Majesty, yet natural defects forbid me to speak. I have ever been an actor and no jangler, of honest conversation, no curious penman, and experience has taught me that I have often been sharply censured by my superiors for what I have most dutifully intended. "But these fatal and untimed frights are now forced to give place to powerful and irresistible necessity, . . . moreover I presume of your honours' ever wonted patience and benign lending ear to humblest suitors, as that your good lordships will also vouchsafe to piece out my wants and conceive in your profound judgments by this little (though rude and abrupt) what amply herein might be said; like they who guess the proportion of largest statures by slenderest shadows in the noon time of the day, when shadows ever are at shortest; protesting to your honours (upon my salvation) that I intend nothing herein to the offence of her Majesty or State, but to the special good of them both."

At my being before your lordships on Thursday last, ye all were honourable eye-witnesses of my unwillingness to speak, who thereto could not be drawn until I heard my fr[iends] without one word of reply to your Grace's grave speech delivered to us, so that I feared your honours duly might conceive that the same proceeded from guilty favouring of foreign invasion. Thus being by those most unexpected means violently hailed and pulled, I did [*torn*] spare to speak what otherwise I would, wherefore what then in public I spared to speak, licence me now in private somewhat to write thereof unto your honours.*

"We Catholics, for number not few, for calling, degree and antiquity not of the basest or vulgarest sort, and for faithful deserving to the State and just demeaning ourselves towards all

* In this and in many other passages the MS is too much decayed to permit of verbatim quotation.

men (without vaunt be it said) censured not the unworthiest members in this Commonwealth, I hope without offence may 'leefully' appeal to your good lordships in matter of most importance and consequence that possibly may mishap infortunatest sort of subjects. We all acknowledge ourselves most bounden to Almighty God for his infinite benefits and blessings . . . that he hath bestowed us under the government of so Christian a prince and Council, who rendereth not to us according to the wills of the malevolently disposed, but answerable to our innocency and loyalty. . . . We ever have demeaned ourselves in all actions of civil duty, both before our imprisonments and in the furnace of our many years adversity, as becometh faithfullest true English subjects, . . . not for dread of punishment, but simply for very native and entire christian affection which we inseparably bear unto her Excellency. That her Majesty and your lordships, thoroughly resolved of our faithful hearts to her Majesty and realm, yet for frustrating the enemy's conceived expectations, hath disposed of us to be shut up again in safe custody, we, without repining at all, according to humble subjects' duty, do offer ourselves to be bestowed where authority shall think convenient for the more good of our country. Wherefore we not only are willing to go without conduct or band to yield our bodies to prison at Banbury or Elye (were it, which never can be in her Majesty's time by us any ways misdoubted, into *Hypodromò*) but furthermore ready to run upon her Highness' commandment there to render our lives, if thereby such foreseen inconvenience might be averted from our native country, or her Majesty's royal person freed from eminent peril or danger. And though none but favourites of the time may expect the grace to be employed against the common enemy, yet may we, disgraced wretches in this woeful exile of service and shortest tie of liberty, wish all evil that shall befall this realm did only light on us, wherein rightly we are then to contend with them in merit who villify us most. *Nam equè virtutis est et bona patriæ auxisse et ejus mala in se transferre voluisse.* And that with far more alacrity of mind of us English Catholics than of any Roman Scevola whosoever;" for as Mutius Scevola was moved by desire to defend his commonwealth and to gain honour, so would we "preserve our English liberty from foreigners' servitude." But two other motives have we, as Christians and as Catholics, —desire of a heavenly reward, and to free our honest name and fame from vulgar charges of disloyalty. A father of the church teaches that he who, trusting to his innocency, resteth careless of slander, is cruel towards his own good name, and furthereth his neighbours to sin, and therefore it behoveth us to leave no means unsought to prevent such enormities; "especially when by former and dear purchased late experience we undoubtedly foresee that we shall again be miserably overwhelmed and drenched in a sea of shameless slanders in matter of detestable treachery by this our now commitment, as also that the multitude (by all likelihood) . . . misled by probability of conjecture, will in all fury rage against us as most traitorous minded

wretches, and [hor]ribly thereby thirst to embrue their hands in our innocent blood. . . . May it please your Grace to call summarily to memory when we were committed to safe custody of the clergy by your lordship and others of the commissioners at Lambeth, in the end of Michaelmas term was two years, upon the very same cause that we now are, which was, that though her Majesty and your lordships were then fully resolved of our loyalty, and true English hearts to the defence of her Majesty and realm, yet alonely to frustrate the enemy's expectation of finding any succour here, [it] was thought in policy specially requisite to shut us up to avert the Spanish forces from hostile invasion; this was the then only cause of our commitment. So is it now again. Whereto our answer was as now it is and evermore shall be: that although we were ready without any jot of repining to be bestowed wheresoever and to whom soever your honours should assign us for the most good of our prince and country, yet we humbly and instantly besought to be employed in that service against the enemy, yea in the former and first ranks of the battle. It was replied that such our shutting up would more avail that behoof-ful service than the help of many more hands. We forthwith were severally dispersed and disposed to the principaller sort and some of the very principallest of all the clergy, who as they most differed from us in some points of religion, and were of no affinity, vicinity or erst familiarity with us, so are they specially bounden by their vocation to say in all things their knowledge truly, and would not of all others halt with the State for our behoofs, in highest point of state and in the instant of eminent danger. What opinions every of them carried of us in that time of undoubted trial I pass over in silence, as well known to your honours and all the realm, lest needless repetitions of our own commendations savour needs must of vainest ostentation.

"In their custodies we remained full seven months. The enemy's powerful navy then under sail, we all were immediately removed forth of sundry countries to one prison in the Bishop's palace at Elie. The very next morning after our placing in close prisoners' wise in the palace, musters of that Isle was taken upon the green before the palace gate, and there in martial wise oft trained in full view of us, under our prison windows, where we beheld what greatly grieved us, to be by unheard of accident exempted forth of so requisite and honourable a service. The same first day of that our there arrival, it pleased the Lord Lieutenant (one endowed with many good complements of nature) to come up into the gallery among us, where we being all in presence before his honour, he honourably discoursed to us the cause of our commitment; by what means we came to Elie, being formerly ordered to have gone to Wisbiche; what the gentleman was under whom we should be kept; how we ought to demean ourselves in prison, especially in that turbulent time; finally what speedy gathering together her Majesty's forces in all places was to withstand the malignity of the common enemy. As before your Grace, many months before the invasion

we offered, so did we again to his lordship, at the very instant of the invasion . . . and with importunity begged him that he would obtain [permission of] the lords of her Highness' privy Council that we might be employed [torn] unarmed in the foremost and before the foremost ranks of our [forces, that] though not able to repulse the enemy, yet to receive the first [torn] our naked bodies, thereby to leave undoubted spectacle of our loyalty." His lordship made us such honourable answer that we hoped to have obtained our petition, but then came stormy news, that the powerful enemy's navy had passed the ocean, and entered into our n[arrow seas?]

"In that time of fright and rumour, sinister collection (*sic*) was inferred of our coming so many gentlemen of account forth of sundry counties, all meeting at one time to be committed to Elie palace, where hath not been known any laymen to have been imprisoned, and in that part of the realm which is strongest and safest, and that at the very instant of the invasion, as finally kept in such strait sort of guard, must need argue special probability in outward appearance that your lordships . . . did notoriously suspect us of disloyalty as favourers of the invasion . . . which went in many places for current among them who were not few in number, and some, not of the very meanest calling in that Isle, bloodily threatened us, in case the enemy did once set foot on land. . . . The Spanish forces no sooner appeared on our coasts, but by the mighty hand of God were discomfited and marvellously dispersed to the unspeakable joy of the whole realm, and principally to us, who only participated not of the common good, but also thereby expected special and speedy deliverance from that our foreseen scandalous imprisonment, and as it fell out since, place of apparent peril and danger.

"Thus when we held ourselves in most security, and daily expected delivery, immediately after that victory, a far more dangerous storm was raising against us, . . . for where before it was only muttered against us in private that we were not good subjects, now was it grown to be in most men's mouths that all papists (so pleaseth it them in scorn to term us Catholics) were traitors, and everywhere invectives made to have us by superior power cut off, as men unworthy to live, for that while we lived, her Majesty should not be in security or the realm freed from invasion," and although by her Majesty's clemency and justice we were freed from this danger, "yet could not we of many weeks after that frustrated invasion was past, be delivered, . . . neither yet then without protestation under our hands of our loyalty to her royal Majesty and our native country. And though it was to us most welcome, in that we zealously never slip offered opportunity to witness our true English hearts; nevertheless it grieved, and inspeakably grieved us that it was then tendered us, which never at any time erst was, as the thing which vehemently argued a more diffidence of your lordships towards us at that time than when we were committed. . . . Who can blame us to dread like after-claps to

our credit when we are now to pass through the self-same stormy passage that erst we did, and behold the wind boisterously blowing in the same point whence formerly we felt her violent force." It is lamentable that we should be again reviled and defamed when we have in the highest degree witnessed to our loyalty, "namely before your lordships at our being before you at Lambeth on Thursday, where, if protestation, oath, band, or band with sureties . . . or else paction of our goods, lands, wives and children may clear and deliver us from such godless suspicion, we have frankly offered what faithfully shall be performed. . . . And as for their cutting of our throats . . . we hold [it] ridiculous, and dread not, since we are sheltered under the shield of her Majesty's sceptre of justice . . . being bestowed at Elie and Banbury by your honours' special direction and with the privity of her Majesty. If the massacre [of St. Bartholemew] in Paris was odious in our eyes, a much more bloody spectacle would this of ours to all ages be in many palpable and unanswerable respects; for though the massacred and we agreed in one predicament, That they were not completely of the same religion as was their king, yet in most other points of importance we greatliest dissented. The king alleged, to excuse the horror of the fact, that he executed them *indicta causa*, in respect he was not able nor powerful to proceed against them by ordinary process in law. The self-same did his brother, the late king of France, this year past allege for the like executing the Duke of Guise and the Cardinal his brother. Where ours is far otherwise, and hath no affinity or semblance of affinity thereto, for we in all meekness of duty humble ourselves unto her Majesty. . . . Yea, should her Majesty command us to the gallows, there should neither need serjeants or sheriffs to conduct us, nor horse nor sledge to draw us. . . . Furthermore, they were armed in the field against their prince, and long time so continued, while many bloody battles were fought, and abundance of Christian blood thereby miserably mis-spilt, to the great calamity of that famous kingdom, and remorselessly embroiling their hands in the bowels of their own countrymen and kinsmen. God forbid that ever the like horrible intention should be but prepensedly harboured in our breasts. . . . Moreover they brought in foreign forces forth of many countries to assist them, where we not only refuse all such aid, but offer ourselves to the first brunt of the battle, there to spend our lives to keep them forth of this realm. . . . We sue for, and beseech to have that grace and favour done us as to be used and bestowed against all foreigners whosoever, as against all the enemies of her Majesty without exception; when had the Protestants in France done the like, what an impious and barbarous cruelty had it been to have massacred them." But had this indeed mis-happened us, it would only have been the abridging of a moth-eaten term of life, and from a sea of trouble would have shipped us into the eternal haven of eternal heavenly rest. "These matters of blood are lighter than chaff and of no weight in our ears; yet is there what inexplicably grieveth us, and sinketh us

up in sorrow, to think thereon, which is that in valorous repulsing the enemy to their shame and foil, we are culled out and discarded as world's wonders, unworthy to be partakers of so behoof-ful a service and renowned victory. If Diogenes, a professed philosopher . . . and stranger in Athens, reputed it for deepest indignity not to be employed in defence of that noble city, [and] did during the fury of the enemy's assault labour-somely roll and rumble up and down his tun, because he would not be noted the only idle man in the city, when all hands were then busily toiling and moiling for preserving of their commonwealth, what shall we think, who are of the short robe, not of the long robe, who daily go armed with weapons as a badge of our vocation ; when the best milk we can give is to bleed the dearest blood in our bodies to defend our sovereign queen and famous realm of England ; who have many hands and men's hearts to further that service, native English men and descended from that worthy progeny where never the king in person or else his standard was displayed in battle, but always accompanied of our ancestors, whose memorable services are many ways well witnessed to us, and not obscureliest by royalest guerdon and reward eternized of record to all posterity. Or if it should mishap, for punishment of our sins (which God avert from this land) that they should prevail against us, as events of war are for the most part doubtful and uncertain ; that we, all English men, all free men, all of one commonwealth, all serving one sacred Prince, and all desirous to bestow our lives in defence of our Queen, laws, liberties, possessions, honours, wives and children, may not all have one self and same honourable funeral, but like fatal wretches destined to vilest servitude, should behold so lamentable and rueful a spectacle, that the ugly sight thereof alone exceedeth the pains of manifold, horriblest deaths. What shall I say, to be deprived and debarred us by such imprisonment [that] which was not denied to the feminish sex of Carthage, who, when they pitifully beheld all their Punick forces overthrown by the Roman powers, and their dear-beloved capital city of Carthage set on fire, did follow the worthy and never enough admired precedent of their Queen, who, with her two little sons (more precious to her than her own life) did haste and run into the flame thereof, choosing rather to be the fuel of their own country fire than to live captive to their foreign enemies. . . .

"Moreover . . . though your lordships, who have certain intelligence from foreign parts, do assuredly know of a mighty preparation of forces in Spain, to attempt the speedy invading of this realm, yet are there very many Protestants that will not in any sort believe it ; that wagers will be laid, five to one, ten to one, yea twenty to one, that no invasion will be here attempted this year, so conjecturing, as it should seem, by the ill success he lately received on our shore, as that he was neither able to encounter at sea our ships the last summer, though seabeaten with long sailing and unseasonable weather, though the soldiers feeble, sick and greatly consumed with [torn] pestilence, and though the chiefest part of all the able soldiers were set on

[shore in] Portugal, neither yet dared they at home at their own doors to . . . oppose themselves in the field against the English army." Yet "none doubteth but that he would willingly bury an hundred times as many of his own Catholics as all we are, to make his wished revenge upon England. Battles are not decided without blows and blood, and whosoever cometh to invade England must look for knocks. All ages testify no less, and so dreadful to all nations hath ever been English valour. So is it unknown to none, by the former attempt at invasion, that though we were committed full seven months before, yet was it no impediment to the Spanish navy from proceeding in their purposed drift, therefore much less now, upon expectation of their at hand present setting forth to sea; . . . when all men since our said commitment, have been so undoubtedly satisfied of our true English hearts and loyalty, that both court and country, parish and pulpit, are full thereof; also the same divulged by prints at home, as by foreign prints of Protestants proclaimed to the whole world. [*Here follows a long protest against the indignity and unfairness of the "bands" which they have had to take.*] Finally, as this infamy is without cause, so will this "quotidian kind of imprisonment" be without end, in that there is no likelihood of unity between this realm and Spain. The Spaniards have taken our ships, put our men to the galleys, and by their navy attempted hostile revenge upon this land. And we have distressed his (*sic*) treasure, by force entered his havens, made incursions into Spain, and with an English army, in summer last, invaded his late obtained kingdom of Portugal [in support of] Don Antonio. Thus has grown up a habit of implacable hatred, not like to end during his life, and so shall we be always in this piteous condition of imprisonment and infamy.

"Wherefore since your lordships beholdeth evidently . . . that we unitedly acknowledge no other to be our queen than her Majesty, whom Almighty God long prosper, and to whom we owe undoubted faith, duty and loyalty in as zealous subjects' wise as any of our ancestors did to her Highness' worthy progenitors, when greatest union of religion was among them, or as any Catholic subjects wheresoever do at this day owe unto their Catholic princes and kings; that by all actions of our lives, before our imprisonment as since, by duest proof in longest adversity [we] have laid wide open to the eyes of all men a matchless instance of religious loyalty . . . ; that we have willingly done or humbly endured what her Highness from time to time hath pleased to command us without all gainsay or jot of resisting; and that never to be touched or impeached other than for matter of conscience and for professing our religion, wherein most of us was born and bred up in, and wherein our forefathers and ancestors have ever lived in since their first conversion from paganism to the Christian faith; not refusing to come to the church upon any singularity, but therein doing as

all nations in other countries of Christendom do where is diversity of religions, and as they here at home (who are of later religions) even now do practise and publish; neither yet of any obstinacy refuse such coming to the church, but alonely in our consciences timorously fearing that it is sinful for men of contrary religion to frequent contrary service; which hath caused us oftentimes heretofore to offer, as also at our being before your honours at Lambeth on Thursday, and evermore will: that if upon learned conference with some of your divines and ours, it shall be duly proved that without committing damnable sin we may frequent others' service than our own, it shall be on our parts most willingly embraced and performed. But that we do it upon mere conscience is more manifest than the sun in the noon-time of brightest day, when we for testimony of our conscience forego all happ and bliss what the world may afford which is of any worth. We are disgraced, defaced, confined from our native countries, imprisoned, impoverished, forsaken of friends, triumphed upon by foes, scorned of all men, *opprobrium hominum et abjectio plebis*, our wives and children in want and woe, and ourselves and ours in daily peril and danger of our lives. . . . May it therefore please your honours . . . to be our honourable [means] to her most excellent Majesty that we by releasement from this commitment to [Elie and] Banbury be freed from filthiest obliquely and unheard of indignity, we putting [in such] security to your lordships as, were we captives in any part of the world to our [country's] enemies, would be held for undoubtedest pledge. . . . And when the enemy shall dare to attempt any invasion against this realm, that then we may have that honour done us as not to be bestowed in the rearward, or in the battle, but in the vanward and before the vanward, to witness to the world and leave record to all posterity of our religious loyalty and true English valour in defence of her [Majesty's] sacred person and noble realm of England. . . .

Pardon, right honourable, the length of my confused lines. . . . Precedents I find recorded, that some of your honours have been actors when a private man in like disgrace hath written many letters to the then Protector of the realm, far exceeding this of mine, double and treble as long; and the same not only allowed of, but replied unto by the letters of the said Protector and of the then honourable Privy Council, wherein length of lines on both parts were least heeded. I protest unto your honours, upon my salvation, that none of my fellows is herewith by me acquainted, or that I have any such intention; not my brother Catesbie, no, not my wife, who I use as my faithful messenger in this behalf." 8 folio pages filled with very small close writing, much decayed.

Note on a separate piece of paper.

"Copy of an humble and dutiful letter of a catholic prisoner to the Archbishop of Canterbury and others of her Majesty's most honourable Privy Council, scribbled in scantied time of hasty

departure unto Elie prison, presently upon his dismissing from that honourable presence at Lambeth; and referred by him to the censure of sundry his honourable Protestant friends, whether without all offence it might so pass as it was huddled up in dutifullest intention; the same party so much the more mis-doubting his own judgment because he was unexpectedly upon the sudden removed to prison and through few days' liberty and warning, exceedingly distracted with infinite business of weighty importance."

A. DOWNES to SIR THOMAS TRESHAM.

[1590*?], April 20. Trinity College.—“I have not been unmindful, since your man's being here, to provide you of two meet men, to serve both your needs. I named one Mr. Fletcher to you before of Caius College for the mathematics, he is ready to come at any time, when you will, if your work be such as he can skill of. Marry, if it be architecture, he doubteth he shall not be so well able to deal with it, anything else he dare undertake, pertaining to that art, therefore he would have you to send him word, what your work is, and when you would have him to come. He is I can assure you one of the cunningest we have in that faculty. The other matter (to provide you of one to be with your son) hath more difficulty, and requireth longer deliberation, if you have no more haste than your man told me. It is hard to find one able to read Justinian, that will leave the university to discontinue. I acquaintanced Dr. Preston with your mind herein, whom I know to bear you good will, because if there be any such, they are likeliest to be found in his house, Trinitie Hall, where they study that profession altogether. He said, he knew not then any meet to be recommended to your worship, but when he had taken a view of their house, if any would serve that turn I should know. And this was this morning, for I could not speak with him before, because he had not been at home. I have talked with one or two more, and as I can hear of any, I will let you understand. The meanwhile I am glad of your present enlargement and pray for your further liberty. If your man had not comen to me I should have gone to Elie to have seen you at Easter. I would gladly see Mr. Morice; if I knew where he were, and had the same liberty that he hath, I would come to him. 1½ pp.

SIR THOMAS TRESAME to MR. GASCOIGNE.

1590[-91], January 29. Hogsden.—I pray you to stead my servant Vavasor what you may in obtaining freedom from disturbance for recusancy. He has many children to bring up, sundry debts to discharge, his goods have been seized, and nothing is left him to live upon but my service. “In regard of his former long and faithful service, as of his still employment in

* This would appear to be the only year when Sir Thomas was a prisoner in Ely at Easter, and enlarged so soon afterwards.

my affairs, I will be willing of mine own purse to contribute what in reason shall be requested," if he may be assured by warrant from the Lord Treasurer and Council of freedom from further molestation and trouble for his conscience. You are his dear friend and kinsman, therefore I hope your endeavours will not be wanting on his behalf. *Copy.* 1 p.

LADY TRESAME to RICHARD CULPEPPER.

1591, March 30.—Explaining the state of affairs regarding a mortgage, being the first and she hopes the last that her husband has had or ever will have upon his lands. If mishap should happen, they will have to thank their son's marriage, and their relying upon their cousin Roper's^a offer "in advancement of this match for her brother-in-law's daughter." *Draft, by Sir Thomas.* *Imperfect.* $\frac{3}{4}$ p.

SIR THOMAS TRESAME to LORD CHANCELLOR HATTON.

1591, April 1. Hogsden.—Offering him the impropriation of Weldon (lying amidst his Lordship's goodly manor), on such terms that he will have it under fourteen years' purchase. Prays pardon for his boldness, but necessity has no law. *Draft.* 1 p.

SIR THOMAS TRESAME to Mr. MARYOTT.

1591 [May 29]. Even of the Feast of the blessed Trinity. Hogsden.—You are not ignorant, neighbour Maryott, what great sums of money I have committed to Bawll, your father-in-law's hands, and what rich pennyworths he has had of my principallest cattle. None ever used him so favourably, "nor among all his creaditors hath he like abused any one of them as he hath done me; no, not those who wallow in wealth, made gain of him by godless usury, and wronged him in cut-throat covenants, . . . and where other his customers gorged themselves by feeding on his carcase, he plentifully filled his bags by beneficial bargaining with me. I shall not need to tell you that those sheep which cost him but ten shillings of me were sold since his 'bankrouting' (to his use) for seventeen and eighteen shillings apiece in Smithfield in the sight of my servants there attending the markets. . . . Four hundred pounds principal debt he brake with me for. It is now above four years since; it is too much for me to lose," wherefore being informed that he is now resident at your house, I have got warrant from the Lords of the Council to apprehend him. But as I desire not to ruin him by delivering him up to his wrathful creditors, "and by detecting to them his money banks and wealth, as well in Ireland as in this realm," if he will now pay me my due, with reasonable costs and charges, which

^a Wife of Christopher Roper and daughter of Christopher Blore, of Teynham. Her sister married Sir John Tufton. See note on p. 63.

shall appear in a bill herewith sent you, then is my suit at an end. If otherwise, then in case he feel the severity of the law, let him blame his own wonted forwardness, not my want of forwardness. I send my son and heir to effectuate the matter, and would have come myself, were I not restrained by authority to a small circuit. *Copy.* 1 p.

PETITION OF GEORGE BAULL TO THE PRIVY COUNCIL.

[1591,* June.] Five years ago, for the satisfying of his creditors, petitioner sold certain lands to Sir Francis Walsingham, who undertook to satisfy all charges on them, and did so, save a debt of 400*l.* to Sir Thomas Treshame. In the life-time of Sir Francis, one Maxeye, on his behalf, offered 200*l.* to Sir Thomas but he refused to take it; and since that time has never even spoken to petitioner about the matter. Yet on Tuesday was a fortnight, being the first of June, an hour before sunrise, Francis Treshame, Sir Thomas' son and heir, came with thirteen horsemen and two footmen known, besides others unknown, and with bars and crows of iron brake open divers doors and chests, taking both money and "all the evidences and writings that were therein, being a hundred several pieces." And with swords in their hands, they entered petitioner's chamber (he being seventy years old), laid violent hands on him and his daughter, and threw her (then great with child and near her time) down the stairs; after which, by a pretended warrant of their lordships', petitioner was carried off a prisoner to Sir Thomas Treshame's house at Rushton, where he is still confined. In regard of the premises, of his age, and of his many children, he prays them to take order in the matter. 1 p.

PRIESTS AND JESUITS.

1591, November 23.—Commission for the enquiring concerning Seminaries, Priests, and Jesuits in the county of Northampton, with the Articles thereto annexed, and the names of the Commissioners, viz., the Bishop of Peterborough; Edward, Lord Zouche; Lewis, Lord Mordaunt; William, Lord Compton; Sir Thomas Cecill, Sir Richard Knightley, Sir Edward Montague, Sir William Hatton, Sir George Farmor, knights; Christopher Yelverton, sergeant at law; Thomas Nevill, Dean of Peterborough; Edward Watson, Thomas Andrew, Valentine Knightley, William Lane, Bartholemew Tate, Edward Coope, Thomas Mulshoe, John Reade, Thomas Kyrton, Roger Dale, Robert Tanfeilde, esquires; and the Bishop of Peterborough's chancellor. *Copy.* [*The Articles, and a docquet of the Commission for the county of Durham, are amongst the State Papers, (S. P. Dom. Eliz : Vol. 240, No. 43, and Docquets.)*]

* This is the only date, within five years after Walsingham's death, when June 1 fell on a Tuesday. And see Calendar of the *Acts of the Privy Council* for this year, where there are many entries relating to this matter.

Letter on the PROCLAMATION against Seminaries and Jesuits.

1591, December 16.—MS. copy of “An answeere unto a protestantes letter to his friend beyonde the seas, concerninge a proclamation publyshed in London in November last.* *Si nos tacuerimus, lapides clamabunt. Luc. 19.*” *Paper book, 4°*, 23 pp.

FRANCIS TRESHAM to MISTRESS ANNE TUFTON.

[1592, beginning of?].—Long have I carefully dissembled with my desire, doubtfully hoping that either time would mitigate the extremity of my passion, else fortune offer me some apt and convenient time or mean to impart my suit to your divine self; but finding my affections to increase by continuance, I am so ravished with your infinite merits in respect of mine eyes' encounter with your beauty and my thoughts' with your virtue, that I have rather chosen to discover my desire and solicit your favour than by my too long and fearful lingering to aggravate my own disquiet and hazard my recovery. The first thing therefore, sweet, is that my writing be not recounted presumption, for that it springeth from a quenchless affection and is urged by the necessity of imperious love, for so far hath the view of your person and contemplation of your perfections made me imperfect, and the rare benefit which fortune and nature hath bestowed on you have wrought in me so much offence that except your courtesie pardon me in the one and your favour comfort me in the other I shall rather remain willing to offend you with further importunity than able to content myself with insufferable silence. . . . My entire affection affords me yet this certain hope, friendly and faithful acceptance of myself and my suit. . . . Grace me with this favourable promise, I beseech you, for further I dare not presume, though your comely grace, your rare qualities, your exquisite perfections, were able to move a mind half mortified to transgress the bands of maidenly modesty, which grant, if I obtain, I vow by the faith of a Christian and by the love I bear to you—for greater bands to confirm my vow have I none—neither will I alter this my resolution, either for father or mother; for time hath weaned me from my mother's teat, and age rid me from my father's correction. When children are in their 'swathe cloutes,' then are they subject to the whip, and ought to be careful of the rigour of their parents; as for me, because I am of riper age, I am not to be led by their persuasions, and for my own part, so religiously do I esteem of the vow which here I have protested before you, that my father shall sooner disherit me of my patrimony than dishonour me for breaking my promise, in token of which my sincere affection I give you my hand in pawn and my heart ever to be yours.

* The Proclamation is that issued on October 18. (Printed by Strype and epitomised in *Cal. S.P. Dom. Eliz.* 1591—1594, p. 112). A letter dated Oct. 31 (*Ibid.* p. 118) states that it has been printed, but not yet published.

"Thirdly it may perhaps seem strange to you that in my many comings and private conferences I have not all this time uttered my love, being oftentimes furnished with convenient place for the purpose; to this I answer, such hath been my tender care and estimation of your credit, that being once intercepted by some eavesdropper already in a request you made unto me, I ever since feared lest the discovery of my thoughts by words might be overheard, and so I should be shut from following my purpose, which would have been to me an endless grief, far surmounting ten thousand deaths; yea although sometime I have come with a resolution to bewray it, yet in regard of your credit and my entire thoughts, I feared and spared, for that I know every superfluous ear is love's extreme enemy. Thus have I at length bewrayed my long grief; . . . my suit therein cannot be repulsed with any refusal, for is it possible to love and leave at pleasure? No, no, mine affection settled, my loyalty protested and my service vowed, I shall in life and death, with all the helps of time and discretion honour and follow you. . . . I desire and expect your answer who is lady of my heart and commander of my thoughts, happy or unhappy Francis Tressame. *Draft, much corrected.* 1 $\frac{3}{4}$ pp.

SIR THOMAS TRESAME to MISTRESS SIDLEY.

1592, May 16, Tuesday. Hogsden.—"Blame me not, good Mistress Sidley, for importuning you with endless lines" in a business which so much concerneth us both. What I intimated in my last has come to pass and our business is postponed until Michaelmas term. It was first delayed by my cousin, your son, refusing to warrant his daughter's lands discharged from unjust encumbrances, and by his resolution that till he had finished with Mr. Carroll, I must wait. So far from concluding, Mr. Carroll, a few days before Whitsuntide, told a gentleman, my good friend, that he is as likely to break it as persist, and that "he found such thwart and variable dealing in my cousin Tufton,* that in case final agreement was not had by the Saturday following, he would utterly relinquish and renounce that match for his son." My son has since seen your son-in-law, who declared that though all else were settled, yet would he not consent to his daughter's marriage until you had agreed with him upon some leases in question between you. On Whitsun even, after the term expired and when the principal lawyers were departed forth of London (and namely Mr. Godfrey, my principal counsel) I received an intricate paper book, of forty sheets of paper. I hasted it to other of my counsel, who presently asked for view of the many deeds recited therein. I sent one of my servants to my cousin Tufton's lodging in Fleet Street to request them. He answered that he was upon departure into Kent, that some were locked in his trunks, and for the residue, his uncle Culpepper could stead

* Sir John Tufton, father of the 1st Earl of Thanet. His eldest daughter, Anne, married Francis Tresham, and his youngest, Margaret, Mr. (afterwards Sir Thomas) Carill,

me. But while this was still in hand he sent for the book to be carried to engrossing, which either must mean that my consent is needless or "that this plotted Skareborowe warning must serve for the colourable shifting it over till Michaelmas. . . . Therefore I leave it to your judgment to censure this proceeding, and to your friendly providence to further it to wished end." *Copy.* 2½ pp.

SIR THOMAS TRESAME to his nephew, GEORGE VAUX.

1592, November 9. Eckton.—A long letter of remonstrance, and vindication of his own conduct. With a note added that thereby, "implacable offence is causeless conceived, and the writer thereof barbarously abused" and accused of seeking to separate G. V. from his wife. 4 pp. *Copy.*

LORD MONTGLE.

1592[-3], January 6.—Memorandum by William Parker, Lord Mountegle, son and heir apparent to Edward Parker, Lord Morley, that Sir Thomas Tresham, knight, has delivered to his daughter Elizabeth, wife of the said Lord Mountegle, ornaments and jewels to the full value of 200*l.*, on the above date, the said Lord being, the same day, his full age of eighteen years. ½ p. *Draft.*

SIR THOMAS TRESAME to MR. CHEYNEY at Woodford.

1592[-3], January 6. Rushton.—Concerning the mortgaging of Artleborowe parsonage—to prevent the purchase thereof being forfeited to Mr. Carrell—he knowing well "how carelessly such causes of weighty importance are looked unto by the Lord Vaux and his followers."

Postscript.—"Commend me to the captive Lord, that dare not, while the sign is in the predominating *Virago*, to look upon poor Rushton. . . . Also to his lady and my niece Merrill." 1 p.

LORD MORLEY.

1592[-3], January 21, Sunday. [Hogsden.]—Memorandum that Sir Thomas Tresham having come up to meet Lord Morley (as arranged with Mr. Lee and his Lordship's son, Mr. Henry Parker) and waited for him three days, Lord Morley has this day sent his servant Sorrel, putting off the meeting until Thursday or Friday. 1¼ pp.

SIR THOMAS TRESAME to LADY VAUX.

1592[-3], January 28. Hogsden.—Concerning the procuring 1,000*l.* by the pawning of Artleborough parsonage. "The party is passing greedy to disburse his money thereupon," but he will prove a hard dealer, and verily reckoneth that he will make forfeiture of it. Furthermore, it will stand you fifteen pounds

in the hundred, which is exceeding dear. If therefore, Cousin Clifton could procure you the money for ten in the hundred, you might well afford him 20*l.* to buy him a gelding, and yet save 30*l.* towards your husband's parliamentary charges and your own at Cambridge for your physie. I came home late this night, and am endlessly busy, having a great meeting to-morrow, with learned counsel on both sides, about manifold intricate causes. Your servant Parker, the bearer, will answer the rest of the letter yesterday received from your lord.

Postscript.—I write to you rather than your husband because you are never abroad, and he seldom at home. *Copy.* 1 *p.*

SIR THOMAS TRESAME to [LORD MONTEAGLE].

1592[-3], February 2, Friday. Hogsden.—The morrow after your lordship's departure from Rushton, Tuesday the 17th of January, according to the time fixed by Mr. Lee, my lord your father's servant, I set forward to London, reckoning there to have found his lordship. "I sent on Friday (the term not beginning to (*sic*) the Tuesday following) to all those places in London, Clerkenwell, the Straund and Westminster, where he wontedly lodged, but could understand no certainty where his Lordship was." Years ago I disbursed great sums of money to him, "as also very lately to your lordship better than two hundred pounds in goldsmith's work and jewels, one way and other to my charge above two thousand and three hundred pounds, . . . and stand bounden to pay 1,500*l.* more the 6th of this present (a portion seldom or never heard of for a knight, having no small number of children, as well sons as daughters, to give in marriage with a baron's son and heir) and hitherto can have no 'joatt' of jointure assured me for my daughter . . . Sithence I have left no one [thing] on my part unperformed, I justly may grieve at this his ingrate using me, unparently prejudicing your lordship, and violent wronging my poor daughter your wife."

On the Sunday, my lord sent Mr. Sorrell, one of his gentlemen, to say that he was in the further side of Essex and could not come up until the end of the week, which begat in me a jealousy of what is come to pass, that he meant to temporize until the 1,500*l.* was paid or my recognizance forfeited, "and then I, my daughter and her children, to stand to the courtesy of my lord your father, which by full four years experience unfortunately am I taught wherto to trust." Forthwith I sent my servant Fulsis to his lordship (whom he found at Hallingburie), to impart to him how greatly it imported me to have matters settled, and to pray him "to make indelayed repair to London. By no entreaty would he condescend to have any meeting sooner than Friday following, and that at his lawyer's chamber, Mr. Andrew Grayes. My cousin Bawd by reason of want of health, came not up this term. In lieu of him I retained Mr. Godfrey and Mr. Buckley, two lawyers of no mean credit and passing well cliented. To have brought these thither from Lincolne's Ynn and Chauncerie Lane

forth of their chambers, to have frivolously attended your father's uncertain coming . . . would have cost me dear, yet hindered them more. Furthermore, I notwithstanding laboured them to have been there, but they, otherwise already bespoken, not possibly might. At the hour assigned I gave attendance, where, beyond expectation, my lord your father came. I manifested to him the cause why my lawyers could not be there, requesting of him to appoint any day when he pleased, Saturday only excepted, in that both my lawyers were that day specially detained in great causes. He would appoint no time but Sunday morning, a time, as it were, selected of all others unfittest, and when no counsellor of account will stir forth of his doors . . . nor after, any sooner than Friday ensuing, this second of February. I and three of my counsel there accordingly attending all this afternoon, together with my brother, Sir William Catesbie, from before two of the clock till sun-setting, could hear nothing of my lord your father." Neither Newman, his solicitor, nor Mr. Andrew Graye were acquainted with any intention of his to meet me, but—in my repair to Hogsden—calling in at Captain Bryan's lodging in the Barbicane, he told me that his lordship had intended to meet me and would perform all he had given under his hand and seal; and "lastly that Antonie would not give consent to forego any part of the 1,500*l.*; whereby (saith he) Hatfield Chace will be forfeited to the Lord Rich should Antonie [*? not*] receive the whole 1,500*l.* [*Here follow further complaints of Lord Morley's conduct.*]

"My lord, your fatherout matcheth me much in degree, in ability of friends, and in the favour of the time. Even so are we partially addicted in our self-conceits, for what I demand, he denieth. Henceforth I therefore betake me to th'advice of the learnedest and reverendest lawyers of this land, . . . who counselleth me to appeal to the Lord Keeper, to whose office deciding of like controversies properly belongeth; and to whose censure in that behalf all subjects submit themselves. . . . Not one penny do I forecast to gain or save unto my own use. What benefit or advantage soever happeth me by law or conscience I shall most willingly forego it, so that I may have covenants kept for the good of your lordship, of my daughter, your wife, and her children."

Postscript.—I have received your letter by your servant Tompson. If it prove as you and my cousin Carus say, "then questionless Mellinge will fall within the compass of the statute of usury," but I would have them have some reasonable composition and not to be put to the rigour of the law, in spite of their unconscionable gains thereby. Mr. Baldwine, Lady Compton's lawyer, wishes you to take a lease of her, your father's being forfeited for non-payment of rent. 2½ *pp.*

Also,

Another paper, in Tresham's handwriting, from which it appears that Antony was an usurer, to whom the 1,500*l.* had been made over; and that Lord Morley was doing his utmost to obtain part of the money, having no other means to save his purchase of Hatfield Chace,

SIR THOMAS TRESAME to GEORGE VAUX.

1592[-3], February 15.—“My last letter, dated from Eckton, I understand you take implacably offensive. Scarborough was my warning and scanted was my leisure then to write. I stayed there but that night, making it my first day's journey towards Hertford term . . . and your undutiful letter to your father . . . was delivered him at Rushton, when I was on horseback, ready to depart, who delivering it me, specially charged me to address you that night answer thereunto, which I answerably did perform. It usually hath been said, let losers have their words. I claim not that privilege; though none justlier might. If I therein have put down any untruth, convince me for a liar. . . Your faulting in highest degree towards me I in private reprov'd, as became a kinsman and Christian. But you have done (*sic*) neither the one nor the other towards me. God forgive you and grant you evermore of his grace. Smally to my profit prove I the words of the prophet most true: *Iminici hominis domestici ejus*.” Copy. 1 p. Written on the back of a long business letter to the same, dated at Hogsden on January 25.

WILLIAM [LORD VAUX OF] HARROWDEN to the LORD
TREASURER.

1592[-3], February 18. Sunday.—Complains that he cannot get his son to join with him for the settlement of his affairs as agreed upon by the Privy Council (especially by his lordship's mediation), two years before. Has come up “raggedly suited and clothed unfittest to give dutiful attendance on royal presence. . . . moneyless and creditless,” unable to provide himself better or to defray his daily expenses unless furnished by his brother, Sir Thomas Tresham, whom to urge he is ashamed, “having already thrust him into a forfeit of 2,400*l*. for providing him with 300*l*.” Has already written to the Lord Mayor, and now appeals to his lordship to commiserate and relieve the distressed and else desperate estate of “unfortunatest peer of parliament for poverty that ever was.” Draft in Sir Thomas Tresham's hand. 1 p.

Also,

Copy of the same, together with “The original cause of the Articles set down before the Lords of her Majesty's most honourable Privy Council for the relieving of the Lord Vaux.” Underwritten, directions by Geo. Levens to Mr. Martine for the copying out of “this breviat.”

SIR THOMAS TRESAME to his Sister, LADY VAUX.

1592[-3] February 22. Hogsden.—“The man of Kent*—so highly magnified at Harrowden to be a Knight of the Parliament, and needs must have two or three servants of your son there to

* Sir John Roper.

attend him . . . is not here to be found. Your lord thereby constrained was to send John Browne to seek him out in Kent, doing him to understand that in case he would not condescend to sale of land your lord would bewray unto the Parliament his thwart dealing and seducing of your son." John Browne is this night returned with his consent to the sale of land to pay his lordship's debts and to raise my niece's marriage money, and he moreover sends word that he has many times written to your son to the same effect.

"Who beholdeth this, needs censure must my nephew for arrantest ass to be thus measurelessly loaded by plotted confederacy, if it be a pack on all parts. If not, he is to be reputed a monster [rather] than a man, a viper than a Vaux, that will remorselessly 'rent' out the bowels of his honourable parents, when Mallorie, their maligner, persuadeth him to the contrary and not meanly pitieth their lamentable plight. I therefore now hope that if not fear of God, yet very shame of the world will cause his she miscerner (poor gentleman, over distaffly awed) to have commiseration of your unspeakable misery; consequently her pliant uxorious husband join with fondest affected father in needfullest petition to the Parliament. To my friendliest lines hasted to my nephew upon your lord's coming up to Hogsden, my nephew vouchsafeth not answer, neither by word nor line. . . .

"As concerning our success in Parliament, I can say little, though nothing else, I doubt, than getting the Bill to be admitted to the reading. Her Majesty intendeth this Parliament should be short, wherefore will not have it to be encumbered with private acts. No man's case is so exorbitant as your lord's, nor petition of meaner moment respecting the land to be sold, which is Brant Browghton, Notley and Yrchester. . . . All things are in readiness. We want alonely a prosperous wind to hoist up sails to ship ye forth of the ocean of your endless encumbrances." No one takes care for it but myself, and my own affairs in Northamptonshire need me so much that only your lord's desperate case could make me stay. "The Baron of Rye* this day in Parliament house told the true honourable Lord Sterton to the terrifying of me that a Trinity of no triflers would take me in task before the Lords of her Majesty's most honourable Privy Council for troubling them; viz: the said Baron of Rye, Sir John Roper and Tufton. Their complaints I suppose must be that by bargaining with the first of these three, I having one way and other disbursed above three and twenty hundred pounds with Besse, my daughter, cannot have any 'joatt' of jointure assured her, yet refuse to pay fifteen hundred pounds more upon selfsame assurance. The second grieveth at me in that I godlessly permit not you and your lord and niece Merill to be miserably spoiled and villified by his darling daughter and her damnable drifts. And as to the third, in cavil kind instead of Kentish gavell kind, he carpeth at me in not readily yielding my consent to have my son circumvented of his wife's land, as he

* Lord Morley.

already unparentliest hath defrauded her and her sister of his land expressly tied unto them upon his marriage. . . . I marvel that this Baron of Rye had not in his calendar catalogued up a fourth, who for these four years hath troubled me most of all the rest, which is Sir Edward Phitten. He oweth me four hundred pounds, never fingered I penny of the money . . . and the usury I hence in so long process of time have reaped is restless vexation in the law, being thereby drawn into the Exchequer, the Chancery, the Court of Requests and Common Law." My wife lately wrote that you intended to be here about Wednesday next. You will do well to wait until you hear from me again. If needful, Parker shall come to Cambridge with directions. "Mr. Cooke this day was presented Speaker of the Nether House. Her Majesty this day was at the Parliament; it is adjourned till Saturday."

"Commend me to my true friend Lady Darcy, and to my cousin, her good, good daughter. Forget me not to my niece your daughter, neither to my cousin Clifton, if he be there. Almighty God send ye all safe recovery, and to be restored by Mr. Buttler's singular skill to your wonted health. . . . My hearty commendation to the little man, whom great ladies adore."

Postscript.—"The cause why I directed this to the Lady Darcy is because I know certainly she is at Cambridge, and doubt of you, by reason young Cheney yesterday told me that you were disappointed of your horses." *The last few lines only in Sir Thomas's own hand.* 3½ pp.

SIR THOMAS TRESAME to his Nephew, GEORGE VAUX,
at Harroden.

1592[-3], February 28, Ash Wednesday. Lyveden.—Remonstrating with him upon his behaviour. 5 pp.

SIR THOMAS TRESAME to his Nephew [AMBROSE VAUX].

1592[-3], March 8.—"Among Christians it hath accustomedly been said 'deny not right unto a devil,' " therefore in spite of his nephew's reprobate conduct, he warns him there is like to be an agreement between his brother and his father, by the mediation of the 'committees' appointed by the House of Lords, and that then it will be too late to undo the unjust proceedings of his notoriously misled brother, and that man of fraud, Mallorie, especially as regards the fulfilment of the articles concluded on at his cousin Bawd's on Sept. 6, 1590, and the disposal of Bilstropp, now his only maintenance.

Postscript.—"If you fear arresting in London by your creditors, you may lie in my son's lodging, else had we willinger had your romth than your company, were it not charitable to relieve you in this instant distress. . . . This admitteth of no delays, for should you, you will prove a right younger brother, having neither wit, credit, land nor money, yea, I think I truly may say scant clothes to put on your back." *Draft.* 1½ pp.

LORD VAUX to the COMMITTEE of the LORDS' HOUSE.

1592[-3], March 13, Tuesday.—Draft by Sir Thomas Tresham of part of Lord Vaux's petition to the Committee appointed by the Upper House to consider his affairs, expressing his willingness to agree to certain sales and settlements, but demurring to the proposals of Sir John Roper and George Vaux, as drawn up by their counsel Mallory. With an additional note in another hand, concerning the injustice of these proposals to his second son, Ambrose, whom Mallory has "subtilly stripped" of the lands in Nottinghamshire which were to have been his recompense, and "by godless gogening [? cosening] of a credulous youth in his minority," has even persuaded to engage the small manor of Bilsthropp (descended to him by the death of his brother Edward, Lord Vaux's third son) for his sister-in-law's jointure.

Presented to the Committee on Thursday, March 15. 3 pp.

LORD VAUX.

1592[-3], March 14. Wednesday—Notes in Sir Thomas Tresham's hand, "concerning Lord Vaux's petition to the Parliament to ratify the sale of some of his lands for the payment of his debts." Mentions a meeting at Justice Gaudy's chamber in Serjeants' Inn on Sunday last, March 11; also a proposal to settle the manor of Laxton, co. Northampton, on Lady Vaux, in lieu of part of her jointure, now to be sold. 1 sheet.

SIR THOMAS TRESAME to his Nephew, GEORGE VAUX.

[1593, March?].—My nephew Ambrose, whose presence the committees have this week so often demanded, is now repaired up to their lordships, and was with me this evening here at Hogsden, urging the performance of what his parents and I long since promised him in recompense for yielding to our request "to regrant unto you, nephew George, the residue of the possessions of the Barony by you forfeited to him. . . Adopted were you, nephew, by your eldest brother and your honourable parents to relieve their miseries and wants by your advancement in marriage, my cousin Henry resolutely settled not to wife." It was peremptorily provided that you should be ruled in your choice of a wife by their consent, but you not having observed this proviso "made forfeiture of your adoptive estate unto your brother Ambrose, then much in minority of years."

Your father and mother, beholding you penitent for that match, and that you and your wife were become filially pliant to them, not only concealed your offences, but endeavoured to restore you to the heir's right. No few thousands might they have had for your brother Ambrose's marriage, but rather chose to sell some portion of land, than by marrying Ambrose to disinherit you and yours. So effectually did we solicit your brother, promising him lands in Nottinghamshire (little more than 40/.

by year) that we prevailed with him, and he attended in the Midsummer term that the assurances might be sealed in July, when he accomplished his full age. By reason of a stratagem then contrived, those conveyances passed not, you pretending what you least intended, and Mr. Mallorie, your lawyer, temporizing from day to day, till your father was enforced to take a fine of your brother, the very day after his attaining twenty-one years. Towards the end of July, your brother, at his parents' request, went to Mr. Justice Anderson's near Uxbridge, and levied a fine of all his Lordship's lands, having, before going, sealed a deed settling this fine on Lord Storton, Lord St. John and others until something was arranged between your father, your father-in-law and yourself. At this sealing, in my parlour here at Hogsden, Ambrose refused to part with the benefit of the forfeiture unless we faithfully promised him that the lands in Nottinghamshire should be absolutely assured to him. This promise we made, and your father gave him 10*l.* in gold for the firmer binding of the bargain, which I paid forth of my purse, and am hitherto un-repaid.

Against this may be objected that he had in Midsummer term secretly passed a fine of the same to one Maylarte, and therefore had nothing left in him to convey, thus frustrating his parents' expectations, and himself deserving no jot of recompense. But this objection would ill proceed from you or yours, and especially from Andrew Mallorie. "What is Maylarte? Sir John Roper's chief servant of trust. What haled and drew Ambrose Vaux unto this unfiliallest office? The measureless love wherewith he affected your wife. To whose benefit redoundeth this? To you and yours. Whose counsel or advice used he herein? Alonely Mallorie's. Who caused him to conceal it? Such as bewitchedly had charmed his coxcomb to attempt this audacious, graceless fact," and who solemnly protested to your father that nothing whatever had been done without our privity? How may you in conscience take advantage of your brother's childish ignorance and "more than brotherly bounty to yours"; thereby bringing him to beggary, heaping on him his parents' displeasure, and making him a world's wonder! 1½ pp.

SIR THOMAS TRESAME to his Cousin [MR. CHEYNEY?].

1593, April 2. Hogsden.—"My care of your safe enjoying the manor in Woodford (which I procured you of the Lord Vaux, to the heaping thereby my nephew and his wife's implacable displeasures) might not permit me to be unmindful of firm settling the same among other lands now to be established by Act of Parliament. The bill is passed both the Houses, and yesterday should have been returned into the Upper House with other bills there agreed upon, but by reason of his lordship's want of money it there still remaineth. . . . This concerneth them all so much as nothing more, yet is Sir John Roper slipped forth of the town, and my nephew utterly unable to furnish this turn. I see no other possibility herein than by mortgaging the lease of

the Beristed in your possession, unless you have the money ready which you are to pay, and which I reasonably may resolve myself you have not." I commend me in friendliest wise to my good cousin, your wife, and yourself.

Postscript.—"The Parliament is expected to end at the farthest on Saturday. This therefore is Scarborowe warning to you. But so evermore it mis-happeth in managing their actions where discord reigneth, and where is so great want and little providence."
 $\frac{3}{4}$ p.

SIR THOMAS TRESAME to the LORD KEEPER.

[1593, April 9?]-Praying him to give order that no process of *scire facias* may be permitted to go forth of the Chancery against him and his son Francis, by reason of the 1,500*l.* debt due upon a certain recognizance, and to grant an injunction that they may not be molested by any cause at common law, until the Chancery suit is settled. $\frac{1}{2}$ p.

Annexed :—

Statements concerning the debt and recognizance, dated as above. $4\frac{1}{2}$ pp.

SIR THOMAS TRESAME to LADY VAUX.

1593, [April 15] Easter Day.—On my departure from Serjeants' Inn with Mr. Justice Gawdie, I foretold him that we were nearer the renewing than the ending of complaints. Your servant Parker now brings me your letter, telling me that—after his lordship has, by Act of Parliament, settled the possessions of the barony on my nephew George and his posterity, has abridged his own power of letting leases, and has established his daughter-in-law's jointure to the impairment of your own—your son, his wife and their misleaders, refuse to consent to the sale of any lands, save for the payment of his own debts and the redemption of the parsonage, while the rest of the debts and my niece's portion are to be raised alonely by fines, &c., from "the poor revenues of this poorest barony," revenues which are not enough for his lordship's expenses, and of which no farthing can be spared for creditors, faithful servants' dues, or loving daughter's advancement. Lord Compton (the only feoffee in town), promised to find a chapman, but hearing nothing from him, your husband proceeded with Sir Thomas Cecill, "a gentleman of all others in manifold respects most fitted and ablest to undertake that action." The conference with him at your lodging in Fleet Street, on Monday last, in presence of Lord Zouch and your lord, broke off, he offering 1,000*l.* less than you demanded. Since then you tell me you have approached nearer to each other, and you demand of me what it were best to do. You are both old enough to make choice for yourselves, but it seems to me that on the one hand, you forego 400*l.* to an honourable friend who may manifoldly recompense it to you, while on the other you are in danger of being defrauded of above 4,000*l.* It is ever best in evils to choose the least. 3 pp.

Directed—"To the right honourable my very dear beloved good lord, the Lord Vaux, and in his absence to my sister the Lady Vaux" (*but written to Lady Vaux*).

Also—Copy of same.

SIR JOHN ROOPER to LORD TREASURER BURGHLEY.

1593, April 16.—"Your Lordship's many most honourable favours bestowed on me have so much bound me unto you as during my life I have vowed most faithfully to discharge toward your Lordship and yours all that appertaineth to him that is only yours.

"Wherefore my good Lord, being given lately to understand that the Lady Vaux is set a work under the show of great kindness toward Sir Thomas Secyll to make offer unto him of all the lands belonging to the Barony of the Lord Vaux which by an Act made this Parliament are set at liberty to be sold, and that she hath drawn him to harken unto it and hath offered to sell him great pennyworths," I send you a copy of the agreement of the Lords' Committees therein, and would have you to know that I have nominated such commissioners to handle the cause as will take care for the infants by selling little land from them, but rather, for payment of the debts, will make leases, "for some great fines, and for the rent of a peppercorn, whereby the inheritance thereof may in time revert to the heir." Thus much I have made known to you, whereby your lordship and Sir Thomas Secyll may see that these pretended shows of kindness to him are but plots to serve their own turns. 1 p.

Enclosure :—

Paper endorsed : "The copy of a pretended proviso by Sir John Rooper, delivered to my Lord Treasurer with his letter;" and containing a statement that it is agreed by the commissioners whose names are subscribed below, with the assent of all parties to the Act for the sale of "the late Lord Harrowden's lands," that they shall sell so much as shall redeem the parsonage of Irtlingborough, *alias* Artilborough, and see the same assured to the said Lord Harrowden and Lady Mary his wife, with remainder to George Vaux for life, and after to Edward [son of George] and the heirs male of his body; and that the lease of Peterborough lands, called the Beristed lease, may be assured in the same way.

And after, to sell the rest for the payment of Lord Vaux' and George Vaux' debts.

Signed : Gilb. Shrewsberye, George Cumberlande, Fer. Strange, W. Cestren, Phi. Wharton, E. Sheffield, Ro. Riche, William Compton, Henry Norrys, Francis Gawdey. *Also* W. Harrowden, Geo. Vaux, John Rooper.

Endorsed by Sir Thos. Tresham :—"Mr. Pagett, servant to Sir Thos. Cecill, delivered me this copy ready written in the Temple Church this present Wednesday in the afternoon about 4 of the clock, being the 16th of May, 1593."

SIR THOMAS TRESAME to his Cousin, MR. BAWD.

1593, April 21. Rushton.—Requesting him to act as umpire on his behalf in a dispute with one Cradock, who for his part has chosen his cousin Raunds to act for him. States particulars of the matter, giving an account of his dealings with Cradock's father by his servant Vavasor, during his own imprisonment, when "by full eight years space" he was not permitted to return into Northamptonshire, and declaring it to be "more manifest than the bright sun in the noon-time of the day" that Cradock's father never made any such claim as the son now pretends. 2 pp.

LADY TRESAME to MR. T. TRESAME.

[1593, April?].—Thanks him for his intention of seeing "Mr." Tresame "for albeit he is to avoid concourse of friends and therefore during his abode in the country neither meaneth to visit or be visited, but of as few as he may, yet his dear friend and near kinsman must needs be welcome." One gentleman to whom the same liberty was granted, so displeased the Council by "the access of many, his friends," that he had almost been recalled to his former constraint. It being meet that Mr. Tresame use his liberty wisely, she prays that neither her cousin or Mr. Ragsdale will meet him on the way, as she finds they intended to do. *Copy.* $\frac{3}{4}$ p.

Endorsed :—"La: Tres: to Mr. T. Tresame. Entreating his and other his friends forbearance in visiting Sir T. T. at his coming into the country upon some liberty granted after long restraint."

SIR THOMAS TRESAME to the LORD [BISHOP OF LINCOLN].

1593, May 6, Sunday. Rushton.—Yesterday was sennight, my servant hasted up "to procure her Majesty's learned counsel to address their opinions to the Lord Bishop of Peterborowe, concerning the point in question between his lordship and me, for his assent unto my few day's liberty within this first forty days since the session of Parliament," the seriousness of which business must be my excuse for breach of promise in not repairing to Bugden. By my luckless success therein, "I still rest not aloneely fast fettered to my five miles tie at Rushton, but moreover greatly doubt that I have in some sort irritated him, most contrary to my thoughts." My son, on receiving my letters, "procured Mr. Owyne, the Queen's serjeant, also Mr. Howland, a lawyer of Gray's Inn, and brother to the Bishop of Peterborowe, to notify unto his lordship the justness of my request, together with the imminent forfeiture I should fall into, if I journeyed unto the term unlicensed. They both did put their hands to that warrapt which I had under the seals of the Lord Mordaunt and Mr. Watsonne, two of the next justices of peace. Mr. Serjeant Owyne and divers other of my learned counsel wished my son in no wise to stay for obtaining Mr. Attorney's and Mr. Solicitor's certificate, in that they thought it needless and that my urgent affairs

required my indelayed repair to London. On Tuesday these were returned to his Lordship at Peterbrowe, together with a letter from my son. Notwithstanding, he again refused to yield his assent, much more relying upon the resolution in Parliament, where he at large heard this doubt debated and clearly censured, than he did to the certifying of these two lawyers, maintaining the contrary; affirming eftsones that no forfeiture could in any sort incur, till the end of the forty days, therefore no licence in that interim was to be granted; furthermore alleged that though the Lord Mordaunt and Mr. Watson might excuse themselves therein in regard they were absent from the Parliament, yet might not he, without his great prejudice (haply undoing) by reason both of his presence at Parliament, as at the deliberate debating hereof in Parliament. Very friendly he seemeth to tender my disastered distress, and offereth willingly to afford his consent so soon as the forty days are expired."

Neither my enlargement till the end of June next—obtained under nine of the Privy Council's hands, ten days before the end of this last Parliament—nor the forty days' liberty, expressly mentioned in that statute, avail me ought for want of the Bishop's assent; nor in default thereof (as expressed in the statute) the assent of the Deputy Lieutenant, "in that we have none; wherein I verily think this shire differeth from all the shires of England and my case from all other men's cases. But stranger than strange it is, if it please you behold whence this unfortunacy floweth. My house is the cause of this my present hell; Rushton, I may say, is my ruin. Had I been at Hogsden, in my wonted place of restraint, or else in Ely, my familiar prison, I freely had been delivered of these dreads and dangers. . . Infortunatest requital it is, after my twelve years' absence, and infinitely longing to visit Rushton, to be thus unexpectedly thrall'd by untimed hasting hither." Upon a licence got by Lord Vaux, I lately entered into 2,000*l.* bond to yield myself prisoner at Elie within a fortnight, and am now fallen into forfeiture of 2,400*l.* wherein I stand bound for the Lord Vaux, and also into the like for myself of 1,500*l.* "unto a merciless griping usurer," both of which mishaps are due only to my present absence from London, where I have the money in readiness, but may not have it without entering into bond there.

My great cause in the Chancery is referred till Tuesday. My wife and I desire in friendliest wise to be commended to your lordship, Mrs. Wickham, Dr. Bellie and his wife, my brother Walton and my cousin Throckmorton.

Postscript.—My son is a petitioner to the Privy Council for a warrant or favourable letters to the Bishop of Peterborowe.

Copy. 1 $\frac{3}{4}$ pp. Also draft of the same.

MERRILL, LADY TRESAME, to her Niece, MISTRESS MERRILL VAUX.

1593, May 8. Rushton.—"I verily reckon that my lady your mother accounteth that my husband is at the term, in that we never heard from Artleborowe since your father's being here,

neither what was the success at the late meeting at Drayton." My son writes that Sir John Rooper restlessly laboureth to cross that course undertaken with Sir Thomas Cecill, as much as he can endeavour or Mallorie devise; and that (the day before he wrote) Sir John was most of the day with the Lord Treasurer. What his designs against your advancement are, his last letter to the Lord Treasurer "doth not obscurely bewray. . . . Mr. Tresame is more careful and jealous hereof than able to give directions, in that he is ignorant what is prosecuted at London. . . . He thinketh to set forward to-morrow if the Bishop be not again the let, to whom he hath, in his behalf, the Lord Keeper's letter."

Postscript.—I write to you rather than my sister, "assuring myself that you stir not above five miles from Artleborowe, whatsoever your mother dareth or doeth." *Copy.* 1 p.

Endorsed:—"To Mrs. Merill Vaux."

SIR THOMAS TRESAME to [the BISHOP OF LINCOLN].

1593, May 10. Thursday, Lyveden.—Thanks his lordship for his kind letter and expressions of sympathy, and states that by the mediation of the Lord Keeper, he has now received the Bishop of Peterborough's licence to repair to London. Is sorry that owing to needful haste, he will be unable to take Bugden on his way. *Copy.* $\frac{3}{4}$ p.

SIR THOMAS TRESAME to LORD VAUX.

1593, May 17. Hogsden.—Asking Lord Vaux and his wife not to come up to town as yet, but to wait at home for Mr. Pagett, who will bring the Act of Parliament and the books for the Commissioners to seal. *Copy.* 1 p.

THE SAME to THE SAME.

1593, May 26, Saturday night. Hogsden.—Sending him answers to certain queries in connexion with the proposed sale to Sir Thomas Cecill, and stating that by good luck their true friend Jerome Lee has dined with him this day, to whom he imparted the matter. 2 pp.

SIR THOMAS TRESAME to LADY VAUX.

1593, May 27, Sunday morning. Hogsden.—On the same subject. Sends a paper received from Lord Mordaunt. *Copy.* 1 p.

SIR THOMAS TRESAME to his Nephew [AMBROSE] VAUX.

1593, May 30. Hogsden.—Sympathizing with him upon the "bad success of what by Parliament was honourablest intended" for the relief of his father, by the thwarting of his elder brother

and Sir John Roper, especially in the matter of the sale to Sir Thomas Cecill. Does not think it would beseem him to urge Sir Thomas in this behalf, albeit he knows him "to be of that worth and so honourably inclined" that he believes he would have commiseration of their distress. *Draft.* $\frac{3}{4}$ p.

SIR THOMAS TRESAME to his Keeper, JOHN SLINNE.

1593, June 28. Rushton.—I am this morning certified that if I repair not to Elie before the last of this month, I forfeit a recognizance of 2,000*l.* to her Majesty. "Evenso, should I repair hence thither without licence from the Bishop and two of the Justices of Peace, I should fall into the danger of the new statute, which confineth me to five miles resiancy about my house." Therefore be ready at my house at Lyveden, expecting my letter to the Bishop of Peterborowe, and the licence of the Justices, and carry them forthwith to the Bishop to subscribe and seal, making all the haste possible and failing not be back with me at the uttermost some time this night.

With postscript that if "John Keeper" be away, this is to be performed by John Andrews. (*Slinne's name is given in the endorsement.*) $\frac{3}{4}$ p.

SIR THOMAS TRESAME to MR. [EDWARD] WATSON.

1593, June 29, Friday. Rushton.—"Your servant Cave was here with me this evening concerning your late request. I fully have in that behalf imparted to him my mind, to your good contentment I no whit doubt. Very heartily I thank you and Sir Edward Mountegewe for your yesterday's ready granting me licence to remove hence to Elie prison. It was after midnight before it could be brought me from the bishop of Peterborowe, for it was past eight of the clock before my man could get thither. While he was effecting this service of mine, my sister Vaux, which now soliciteth at London her lord's important businesses, having obtained of the lords of her Majesty's most honourable Privy Council two months longer enlargement of my liberty, hasted down Mr. Cheyney his lo[rds]'s solicitor to do me indelayed notice thereof. He came to me yesterday about eleven of the clock in the forenoon, and made speedy return back again to his dismembered term. Furthermore he told me that my sister prosecuted the getting a warrant from the lords of the Privy Council to be directed to our Bishop and some of you justices for this my enlarging me, which hourly I expect. They have already passed it under their hands unto the Lord Archbishop of Canterburie. I have thought good to acquaint you with this inexpectested cause of my stay, in that enforcedly I made bold to trouble you with my aforesaid licence. I pray you likewise acquaint herewith Sir Edward Mountegewe, to whom making me in friendliest wise remembered, even so to yourself and to your good wife do wish you your heart's desire." 1 p.

EDWARD CRADOCK.

1593, July 2.—Memorandum that on June 15, in the 35th year of the Queen's reign [1593], an indenture was made between Sir Thomas and Francis Tresham on the one part and Edward Cradock on the other part for the sale to the latter of pasture lands in Clipston, co. Northampton, "commonly called the Alleyes," adjoining the freeholds of the aforesaid Cradock, William Goodman, David Hull and Edward Buswell. *Witnesses:—*Tho. Shrimpton, John Cheney, Tho. Powle. *Certified copy dated Jan. 4, 1594-5. 2 pp.*

SIR THOMAS TRESAME to MRS. SYDLEY.

1593, July 29, Sunday at night late. Hogsden.—"My son acquainteth me, good Mrs. Sydley, with your grandmotherly care to have this marriage between him and Mrs. Ann, your daughter's daughter, to proceed,* and not to stay for the assurances . . . because it is very likely that the next term will be adjourned by reason of the great death and daily increasing infection of the plague at London." You offer me by him that if I will promise after marriage to assure my son's wife her jointure, and present maintenance for them both, as agreed on between us, you have such trust in my honesty that you will proceed in the marriage. How forward I have herein been, ever since the settled liking between my son and your daughter, it is needless to repeat. The assurances on my part have been engrossed and ready to be sealed ever since Shrovetide was two years, and now that your son-in-law and I are agreed, I will let pass his former unkind proceedings, though "had it not been in singular regard of you and like affecting the young gentlewoman, no entreaty nor yet gain could have drawn me to most untimed manifold inconvenience." Nevertheless, being so earnestly entreated, I hereby promise faithful performance of jointure, maintenance and all covenants on my part, expecting the same from you, and so do end, "endlessly commended to you, my dear-beloved Mrs. Sydley and to your daughter Ann; wishing Francis prove as good a husband to her as I covet to have him filially affecting me. I doubt not of the one, therefore cannot but be hopeful of the other." *Draft. 2 pp.*

[FRANCIS TRESHAM to his Father, SIR THOMAS TRESHAM.]

[1593?]"—"My Lord Sturton offers to disburse 1,000*l.* towards the paying of my debts, 800*l.* to Mr. Tufton for his present estate and 50*l.* annuity during my life and my wife's, in recompense whereof he is to have 150*l.* a year, whereby he hath 100*l.* a year for, 800*l.* and 50*l.* inheritance for paying but 50*l.* annuity." [*Suggests alterations in certain settlements (apparently in view of his marriage), and further money transactions, whereby his father may augment his allowance 50*l.* a year, and pay his cousin Merill Vaux.*]

*See p. 63 above.

"If present order be not taken for this thousand pound before my going out of the town, then shall I fall into many mischiefs, for some of my acquaintances that stand bound for me are in great danger, which is no small discredit unto me. . . . The reason that I desired to make my Lord Sturton a party to this business is because I would not encumber you further with my estate than I think your occasions will bear, but it wholly rests at your pleasure to choose whether you will deal with all or with part. *Unsigned, 1 p. Tied up with this letter is a bundle of papers endorsed by Francis Tresham: "Bills and bands, acquittances and other memorandums."*

LORD VAUX'S DAUGHTERS.

1594. Easter term.—"Sir Thomas Tresham's instructions to his learned counsel for answering of an order in the Chancery, there against him procured by his cousin [niece] Mrs. Anne Vauxe."

At the earnest entreaty of Serjeant Beaumont, Sir Thomas had of his "kinsmanly tendering" of his niece's well-doing given her 40*l.* in Michaelmas term last, at St. Albone's, in spite of which she had brought this suit against him in Chancery, and had arrested him with process upon twelfth day in Christmas following.

At that time, Sir Thomas, being confined to his house in Northamptonshire, desired to make answer in the country, but for no entreaty would she dispense with his personal appearance.

When he had appeared, he was ordered to answer to as much as he could (his writings being in the country) and to give in a full answer in the beginning of Easter term. He therefore declared on his oath, that "he neither had received the 1,500*l.* for which he was sued in that court neither could receive it; furthermore, if he had received it, the time of payment to the complainant was not yet come." Also that great sums of the 1,500*l.* were yet unreceived but without his books he could not say how much.

The truth of the matter was that in the 13th year of her Majesty's reign, there was an estate to be settled of Lord Vaux's barony, in which conveyance, Mr. Serjeant Beaumont and his brother, Mr. Henry Beaumont the lawyer, were special actors in the behalf of their nephew, Mr. Henry Vaux, Lord Vaux's son and heir, and his other children by his first wife. In this conveyance, 100*l.* a year was limited to Sir Thomas Tresham for the term of fifteen years, to receive thereby the full sum of 1,500*l.*; trusting to which deed, Sir Thomas became bound with his brother, Sir William Catesbie, to Serjeant Beaumont and others for the payment of 500*l.* apiece to each of Lord Vaux's three daughters by his first wife, upon such contingencies and at such times as in the defeazance appeareth.*

* *i.e.* upon their marriage or their father's death.

It was furthermore agreed that a certain other deed, obtained by Serjeant Beaumont and others from Lord Vaux upon his marriage with Sir Thomas Tresham's sister (but without her own or her brother's privity) should be delivered up and cancelled. This deed, Sir Thomas, by the advice of his uncle, Justice Weston, oftentimes required from Serjeant, now Justice Beaumont, but it was never delivered.

But owing to certain mistakes in the wording, the "tripartite assurance" of 13 Elizabeth is now proved utterly void, and Sir Thomas has no security for his 1,500*l.*, and can only receive it by courtesy of Lord Vaux during his life. Therefore, having been defeated of receiving so much of his money, he thinks he should be relieved from the extremity of the law, even if the day were past, which it is not; especially considering his carefulness for the advancement of the three sisters. For, firstly, by the assistance of his sister, newly married to Lord Vaux, he persuaded his lordship to augment their portions from four hundred marks to five hundred pounds apiece; and also, seventeen years since, he disbursed above eight score pounds for the eldest sister's advancement in marriage, no penny of which has been repaid him. Lastly, he hath, as aforesaid, given the youngest sister 40*l.* of his frank gift, and would have dealt as bountifully with her for her marriage portion as he hath done with any of her other sisters "had not she without all just cause, most malevolently sought to defame him with undue detaining her said intended marriage portion"; although he is much less able now to pay her than he was in former years to "perform" it to her sisters.

And as to the residue of the order, to answer the rest in the beginning of Easter term, he answereth "that he within five or six days after Candlemas term was, before his departure hence from London, committed close prisoner to the Fleet, where he ever sithence in close imprisonment remaineth," and therefore humbly prayeth for time and means to make a complete defence.
5½ pp.

SIR THOMAS TRESAME to LORD VAUX.

1594, July 22. Rushton.—"Being the first letter of my writing to any since my arrival at Rushton from my long late close imprisonment in the Fleet."—"At my late being with you, my very dear beloved Lord, I did forbear to impart somewhat to you, in respect of your deafness, and divers strangers then accompanying you, which I now briefly commend to you. . . . First, for the good of you and yours, especially for the advancement of the fatherless and penniless, my nephew George's children, it behoveth you to husband all things to the best." These poor children are dependent upon you and their mother. If you and she agree, good may accrue, as I can make manifest "who have sought every corner of my dull brain to retrieve somewhat for their relief." I pray you, amongst other things, have regard to your own health "upon which axletree this weighty burden wholly resteth." In your present sickness,

my advice is not to encumber yourself with the charge of your house, but for the present to refer this to my sister and Knighton ; and in any wise make election of discreet and honest officers ; otherwise the world will condemn your want of judgment, and in the end, you and the little orphans will be left in remediless misery.

Postscript.—I would you were pleased to come here for a fortnight or three weeks. In my wife's absence, I should think it a great favour. "Farewell my golden, gilded Lord, in [torn] not in purse." 1 p. *Damaged.*

ACCOUNT BOOK.

1594, September.—An account book of George Levens, February 19, 1593-4, to Michaelmas next ensuing, giving:—

1. Receipts by him during this time, from rents, sale of corn, hides and fells, hops, &c., including 40s. "in part of Rowell fayer money." Total 7*li.* 16*s.* 5*d.*

2. Disbursals "in payment of debts, wages, necessities, household charges, reparations, thatching, tiling, hedging, and such like." The necessities include *inter alia*, the following:—

To the girl that wrought bone lace for the Lady Mountegle, viz., 6 yards - - - - - ijs. vjd.

Three knives for Mistress Marie, Mistress Anne and Mistress Bridgett, and 6 yards of crewell for garters for them - - - - - ijs.

To Rose Tirroll for the semster that hemmed Mr. Mattersed's ruff which my Lady Mountegle gave him - - - - - xiijd.

To Honnies boy twice trimming the children - - - - - xijd.

Knitting a pair of hose for Mistress Bridgett - - - - - vd.

Towards the bon-fire given on Midsummer even - - - - - vjd.

To Morgan's maid bringing strawberries for the children - - - - - ijd.

To Dorrathie for 6 yards of ribboning for "aperne" strings for the children, xijd. ; 4 laces, 2*d.* ; pins for them, 4*d.* - - - - - xviijd.

Two coarse falling bands for the carpet boy. - - - - - vijd.

Two knives for Mr. William and Mistress Anne, 12*d.* and a pair of shears for Mistress Bridgett - - - - - xiiijd.

To Samewell which he paid for dying 13½*li.* of yarn at 8*d.* the pound - - - - - ix*s.*

To the fuller scouring the rug - - - - - ijs.

Bird lime for taking jack-daws, ½*li.* - - - - - iiijd.

To a woman of Rewell for knitting two pair of stockings for the children - - - - - xviijd.

A dozen of points for Mr. Lewis - - - - - iiijd.

Soap 3*li.* - - - - - xijd.

An hat for Mr. William - - - - - iijs.

Pins, half a thousand, for the children - - - - - vjd.

A yard of lawn bought at Barden fair for bands for the children - - - - - vijs.

For lavender at Thropstone fair - - - - - ijs.
 Among the household repairs is an item "to a glazier
 for 19 new panes of glass setting up in your lady-
 ships closet and mending also divers quarries
 broken in my master his chamber with the great
 wind" - - - - - ijs. vjd.
Paper book, 11 written and some blank pages.

SIR THOMAS TRESAME to his wife, LADY TRESAME, at Rushton.

1594, [Nov. 1.] All Saints Day. Hogsden.—Jesus. Maria. Urgent business took me out of town for a few days, but Fulcis wrote advising my return, as my cousin was about to obtain an order against me. I made what speed I could, but came some few hours too late, "and am now ordered to pay her the money which is not hers; which, if it were, yet is the time of payment not yet come, in that my lord her father is not yet dead, neither is she married." [*Here follow arguments against Anne Vaux's claim.*]
 "Where the hedge is lowest, there the passage is easiest. Easy is it for any to march upon whom hath lien long time, a double prenticeship of years, prostrate to the ground. . . . She hath prevailed against me, in taking the opportunity of my last long close imprisonment; she joying whereat true Catholics ought to have had Christian commiseration. . . . Rather than I would have seconded my suit by taking such an irreligious advantage against any Christian whosoever, I would have permitted it to have quailed, than thereby to have prospered; but if against one of my religion, a Catholic, I sooner would have begged my bread than in such sort have [been] my fellows bane."

I should without any suit at law have satisfied her before now, but that firstly I could not get in my money "divers then breaking with me, namely, Sir Thomas Cecil, Sir Henry Lee and Sir Edward Phitton," and secondly that in regard of her own and her sister's infamous speeches against me, I would not pay the money until they either justified or acknowledged their scandalous clamours. Their Uncle, Serjeant Beawmont, sent to my sister Catesbie that unless the 500*l.* demanded was forthwith paid, her husband's lands should be extended by statute (he being bound as my surety), "which so terrified my said sister that she this time twelvemonth, journeyed forth of Warwickshire to me at Rushton, in foulest ways and weather, to be freed from that fear." Towards the time of the first payment, I went to Serjeant Beawmont at St. Albone's town and acquainted him what was the let that I could not provide the money, offering moreover to put into his hands Sir Edward Phitton's "execution of 400*l.*" in the suit concerning which he himself had been principal in counsel with me, and now was judge in that circuit where Sir Edward was resident in Lancashire, but he refused to take it. The 40*l.* which I gave her to relieve her pretended miserable estate, she converted into lawyers' fees by commencing a suit against me, although

* This and the following letters were apparently written to be shown to others.

my renewed offers were commended to her by her father and divers friends, to avoid scandalous suits between Catholics. I omit your journeying to them, who would not vouchsafe to speak with you nor see you. Let my cousin now assure herself, that until she has fully satisfied me, I will not pay her one penny more, unless her father die, or she marries. "She hath an honourable father and many other approved honest and discreet friends, who were fitter to inform the consciences of a professed Catholic virgin what fitteth her in the like to do than abandoning them to rely wholly upon mercenary lawyers." And now, I fortuning to be absent, the Court of Chancery has been greatly possessed against me, none of my counsel being ready at once to answer her fresh allegations. "Might she in this sort pass herewith, doth it not consequently follow that her brother, who for the love of God relinquished his birthright to a barony, and her sister who liveth a professed nun in a monastery, betaking herself to that religious life in the prime time of her youth, were both coney catchers, and sought to cosen me, whom the world could witness that they dearly loved."

At the beginning of this letter, I told you how I had returned. I alighted in Holborne, and going down Chancery Lane to my lawyer's, I met Mr. Frampton, the chief manager of Sir Thomas Cecill's affairs, who begged me to go to his master; Sir Thomas having, he declared, been "most badly dealt with by the Lord Vaux; for the widow [of George Vaux] interrupted his master's possession of Isham lands." No sooner was I departed from him than Mr. Cheyney, in the Temple Church, gave me a letter from Lord Vaux complaining of the unkind dealing of the widow and of his tenants, set on by her. He was contented to let her have Harrowden, "his principalest mansion house, together with other grounds convenient for maintenance of her hospitality" upon reasonable consideration, yet he has been violently withstood and compelled to hear menacing speeches from those, her saucy servants, and his own tenants, who—"in regard of his old years, honourable calling, and being upon his own ground" and in regard also that they and she owe all their maintenance to him—ought to have revered him, their honourable founder. "Aptly might he say that Acteon's dogs he fostereth, who, while he mindfully feedeth them, they monstrously mercilessly would devour him." He is made a world's wonder in our country by his daughter-in-law, when her husband is scarce cold in his grave, and yet never did his lady and he show themselves more loving to her than now. "When her friends, Sir Edward Mountegewe and my cousin Moolsoe, did meet at Irtlingborowe about her affairs, where I was present, there without any denial or scruple his lordship and his lady yielded that she should presently have allotted her what her own father and her husband had requested and accepted on her behalf . . . and also, though my cousin widow is much better able to maintain her children than is the Lord Vaux, notwithstanding, his lordship, to exonerate her of that charge, was contented to abridge his own port to afford them maintenance,"

of his poverty not of his plenty, as Sir Edward Mountegewe well knoweth.

To return to where I digressed, understanding by Fulcis that Mr. Nicolls was of counsel with the widow, I went to his chamber in the Temple (he being a stranger to me) to know of him whence this alarum had happed, but he said that he was not specially retained for her and could answer little or nothing. I asked if he had to deal with Sir John Rooper, her father, or Andrew Mallorie, her principal counsellor, but he answered no. I then sent to Sir John Rooper, to ask him the same things. That night, coming to Hogsden, I found your letters, one of them wholly upon this quarrel, and how my cousin, the widow, wishes me to be a means to pacify it. "When heads are broken, it is a good motion to employ 'medicionable' salves, but far better it had been to have kept them from breaking." Matters would not have been in this state if there had been filial reverence, friendly love, or commendable discretion. Assure my cousin that howsoever she misdemean herself, I shall deal justly with her, but if she will govern herself worthily to her parents and my nephew's children, as becomes his wife, I will stead her to the utmost of my poor ability. You tell me that she says that Lord Vaux is set on by his lady, and his lady by me, but how untrue this is the world knows. If they had been ruled by us, his lordship should not have been spoiled as he had been, neither should he have been held forth of his principal house and so much of his revenue, nor have let so many leases "at Robin Whoodes penny-worths" to furnish his son with money. "I have bestowed two whole sheets of paper over this widow's and the other maiden's courses. God turn all to good, who grant us of his grace and bless all ours. Farewell, Tresse. Commend me in friendly wise to my cousin Vaux, and tell her from me that it behoveth her to have more care in managing like actions now than when her husband lived" and bore the blame. "Yours evermore most faithfully." 9 pp. *Also a copy in another hand.*

Addressed: "To my very well-beloved wife, the Lady Tresame these give at Rushton."

SIR THOMAS TRESAME to his wife, LADY TRESAME, at Rushton.

1594 [November 2]. Hogsden.—"Jesus. Maria. This present weeping All Souls day (which exceedeth all the extreme wet days of this long matchless wettest season) here arrived (as my petty Hogsden common was coming for my dinner) my now kind, former unkind cousin, accompanied with old Broksbie and a pettifogging formal solicitor of hers, with a retinue of many servants, I having then none here but Hilkton and my trusty cook. Her coming was answerable to an order in the Chancery that she should so do, moreover desire the continuing of my good opinion towards her, and to pray my furtherance in helping her to her 500*l.* which she would have, and I have not received. This is the peremptory day for my paying in the 500*l.*, whereof she on her part had not performed what she was ordered to do ;

then might I as well have broken that order for the payment of the money, both being due by one order.

"Great odds would have been laid that she would have [rather] forgone the benefit of the order, than to have made performance of what she was enjoined unto. She held out till the last hour, as it were, and till now could not be drawn at the request of any her friends to yield thereunto. I, for her ease, offered to meet at my daughter Stourtons, and to have a boat or two to attend her at the Temple stairs, at my provision and charge," but she chose rather to take the foulest journey in order to take me without company, that her submission might be swallowed up in secret, and as near auricular confession as could be. But before stooping thereto she sent her lawyers to try to alter the order, alleging her birth and sex, and that it was unseemly for a lord's daughter to make petition to a knight, but her money was spent to little purpose, for "it was then said by the Master of the Rolls that if she was so stomachful as to refuse to do it, that he would not wish me to pay the money."

It were too long to tell what passed in our chat and conference. It was past four in the afternoon when the verbal combat was decided, and I went not so late to dinner since "when I was close prisoner in the Fleet, where my keeper not seldom did forget me at my meal hours, though never was unmindful to lock me up close. My paper groweth to end; even so it draweth well towards midnight, therefore this was the sum"; that she has satisfied me in the three points without which I told her uncle the judge that I would not pay a penny until either she married or her father died; viz.: she denies being acquainted with the menacing message sent last year to your sister Lady Catesbie, which frightened my [*i.e.* your] sister Catesbie so much that it brought her out of Warwickshire to Rushton; she acknowledges that she wronged me in saying that I did her wrong in detaining her money, and she likewise acknowledges that the 40*l.* I gave her was of bounty, not of duty. "At a late conference of our counsel, her serjeant, Mr. Glanvyle, sware by God's blood that if she would not so acknowledge it, that he never would be more of her counsel. . . . Now that she hath satisfied me, I must satisfy her. I in deeds, she in words. Were I as ready furnished as she, I might compare with our new elected Mayor, Alderman Spencer, a sparer, no spender, who offereth forty thousand pounds with his daughter. To-morrow is our upshute day; if my satisfaction which I shall tender be disliked, I then offer them my worms meat carcase to their discretion, so far as restraint of liberty amounteth unto." But if she refuse, it will no less redound to her shame than did her scandalous suit. They are divided now among themselves, and Justice Beaumont groweth weary of it. He and Brokesbie must stand bound to me to save me harmless against the Lord Vaux, and if so, they will have the money in their custody, so what hath she got thereby? Now they depend on me to solicit her father. "My greatest adversaries rely much of my good nature, that when they have wrought me the most spite they possibly can, yet make bold to employ me to stead them. They term me a

'Machivelian,' but they seem to trust me as reformedst Christian, devoid of spleen and fraught with charity. . . . Farewell, Tres., Almighty God bless all ours." *Draft. 4 pp.*

Addressed:—"To my ever beloved wife Tresame."

MISTRESS ANNE VAUX.

[1594, November.]—"Divers idle objections" made by Mrs. Anne Vaux, "which on Sir Thomas his behalf are most facilely answered." Mistress Vaux alleges that she is in great poverty and so has need of her marriage money; that it was long since due and is unjustly detained by Sir Thomas; that she is now thirty years of age, "and unmarried, by reason she hath not her marriage money in her own custody;" and that, as the fifteen years are long past, the money must certainly be due, if not to herself then to her father, and thus, by his grant in writing, to herself. Sir Thomas repeats many of his previous arguments, and says, as to her poverty, that she has her maintenance from her father; that her grandmother, not long sithence deceased, left her "great plenty of wealth," and that her eldest brother, also deceased, "dealt very bountifully with her;" and as to her marriage, "it is well known that she hath preferred to live an unmarried life" and well known also that if she did marry, Sir William Catesby and himself are bound to pay her the 500*l.*, "whose stocks of cattle upon their pastures are able to satisfy at all times six times the value."

However, wishing to persist in a friendly course, Sir Thomas offers (as he at St. Albans before offered to her uncle, Serjeant Beaumont), that if they can plainly show the money to be rightfully due, he, Sir Thomas, will take order for the payment of so much as he hath received, and will give security for paying the residue within the year, whether he himself receives it from their father or no. 3 *pp.*

SIR THOMAS TRESAME to LADY TRESAME.

1594, November, 23. Hogsden.—Explaining his conduct in relation to his cousin, Anne Vaux. The letter concludes "Tomorrow is our last meeting. Then do I intend to pay them three hundred pounds where I ought to pay but two hundred pounds. Also to offer them the choice of three bands now due to me this term; every of these containing one hundred pounds principal debts. One of them is the Earl of Northumberland's, who is a very good payer. A second is Sir Edward Phitton's, with two sureties with him, the meanest of them of much more credit than himself. The third is a citizen of London, the Queen's draper, dwelling in Watling Street. If two of these three bands will satisfy them my cousin shall be speedily paid. I verily think, and so doth others, that her friends will not permit her to be so much beholding to my bounty, but will express agreement to be observed which amounteth to her loss and to my benefit. . . . Farewell,

Tress., Almighty God bless all ours and grant us of his grace to pray for our maligners." *Copy.* 2 $\frac{3}{4}$ pp.

Annexed :—

A note, which has apparently enclosed the other documents on this subject, stating to a "very dear beloved good friend" that the writer [Lady Tresham?] sends papers and a copy of "Mr. T's" letter concerning his cousin, Anne Vaux, which papers no indifferent person can read without being convinced of his honest mind and friendly intending and of his cousin's unkind proceedings. $\frac{1}{2}$ p. *Unsigned. Copy.*

Also further notes of the accusations brought against Sir Thomas, it being most wrongfully asserted amongst other things that he had persuaded the second sister to be a nun, in order that he might not have to pay her marriage portion, and that he was "a scandal to the Catholic religion and to all Catholics, and should also speedily be 'skowred' up for it by them that had authority to do it." 2 pp.

SIR THOMAS TRESAME to his sister LADY VAUX.

1594[-5], January 16. Rushton.—Sends advice (apparently in reply to a request from Lady Vaux) as to what ground should be taken with Lord Vaux's commissioners at the next meeting, but urges his lordship to be guided by his learned counsel in the matter, who alone can properly advise him. *Copy.* 2 pp.

SIR THOMAS TRESAME to LORD ———.

1595, April 16. Rushton.—"Your letter which I received some two or three days since, I have stayed the answering thereof, expecting the conveniency of this messenger. As concerning the Lord St. Johns' speech to your lordship and me mentioned in your letter, I do very well remember that about 15 years past, you and your lady, and I with my wife were at Rippon Park there hunting with our buckhounds. Among many other speeches which passed from the Lord St. Johns that night at supper he pleased to sport at his wooing of his then lady, saying, that though divers were of opinion that he should not speed in his suit, yet he made no doubt thereof, well knowing what estimate women make of their places; which point when he had well coursed over, he then turned his speech particularly to me, saying, would you, Sir Thomas, have thought that Mr. Griffine would have toiled in gathering wealth together to have enriched me? I answered that I was right well assured the same was no part of Mr. Griffine's intention; furthermore adding, that if Mr. Griffine had left his wealth with his lady, that she was too wise to let all the same to come to his lordships fingering. Well (quoth he) I have lighted on it, and no thanks to your ladyship (turning that his speech to his lady) and therefore your ladyship hath truly

paid for your place. Wherefore if any can now make a penny more of you I would he had you; wherewith the tears stood in his lady's eyes; and those speeches seemed to us to be very broad jests. But he at that time mentioned not what sums of money he found, nor to my remembrance whether it were in gold, silver or plate, neither yet by what means he happened to find it. Notwithstanding delivered he then speeches amounting to this effect: that it was kept secret from him, and that he used skill in the discovering it.

"Where[as] you also wrote unto me in the behalf of Mayne's wife, so it is, &c. I intend shortly to see your lordship and in the meantime do bid you heartily to farewell, desiring to be in friendliest wise remembered to all my good cousins, with the like from my wife to your lordship and them."

Postscript.—"It may be that I hit not the very words of the Lord St. Johns' speeches and mine, but sure I am that these were the words or words to like effect. One interrogatory there is on Mr. Griffine's behalf, which also was ministered to me, viz. what I had heard what money or treasure the now widow lady St. Johns had conveyed from her husband (Mr. Griffine) in the time of his disastared accident, or what sums of money the Lord St. Johns had discovered of hers which she secretly kept from him. These are not the very words of the interrogatory, but the interrogatory tendeth to this effect. Thereto I answered that by common divulged report, as by the relation of Mr. Edward Griffine and his wife, that she the said now Lady St. Johns had conveyed away great quantity of treasure from old Mr. Griffine in the time of his extremity when he lay upon his death bed and that the Lord St. Johns after marrying her used such means to discover it (so by her concealed from him) as that he found it, and thereby was greatly enriched." $1\frac{3}{4}$ pp. *Copy.*

THOMAS TRESSHAM to his cousin, SIR THOMAS TRESSHAM,
at Rushton.

1595, May 3. Newton.—Thanking him for sending the letters patents from King Henry 8 to his great uncle, Mr. George Tresham, as the Lord Bishop much desires to see them. Hopes thereby to gain some ease of payment, and therefore ventures to keep them for awhile, after which they shall be thankfully re-delivered. 1 p.

LORD MORLEY and LORD MONTGLE.

1595, July 7. Hogsden.—Memo. by Sir Thomas Tresham, that this present Monday there has dined with him Mr. Parker, brother to Lord Morley, and that upon his departure, he (Sir Thomas) has caused the following to be put in writing concerning Lord Morley, Lord Montegle, &c. Four pages of notes follow, chiefly concerning the proceedings of Lord Morley in relation to his property at Mortocke, since the marriage of Lord Montegle to Tresham's daughter. Amongst other things, Mr. Parker said:—

That Lord Morley finds Lord Montegle a very tractable son, has levied by his means no few thousand pounds, and has drawn him to pay 4,000*l.* for his debts, mostly for the redemption "of Hattfield Chace and the Pelhams, lately leased unto Meede," to provide which Lord Montegle is now selling lands in Lancashire and Yorkshire :

That Anthony Parsons is now in London, and usually lodges "at a tailor's house in Hoborne between the new gate of Graie's Inne and the smith's forge near the little lane that turneth to Graie's Inne over against Chancery Lane" :

That the said Parsons was servant to Mr. Penruddock the lawyer and got into Lord Morley's favour by serving his turn with money :

That the "bargains letten in Mortocke" by Lord Morley are of no validity until ratified by Lord Montegle :

And lastly that lately meeting Lord Morley at dinner at Lord Windsor's, Lord Morley said that he would presently send down his eldest daughter to Lady Tresham, and would allow 50*l.* yearly for her maintenance. 4 *pp.*

ROWLAND RIDGE to his master, SIR THOMAS TRESHAM,
at Rushton.

1595, September 23. Erith.—Praying his furtherance, by means of Lord Mordaunt, Mr. Henry Mordaunt or himself, in the writer's suit to Mr. Compton for the reversion of such things as Mrs. Fludd, Mr. Compton's tenant, died seised of at Erith. $\frac{3}{4}$ *p.*

[THOMAS] VAVASOR to his master, SIR THOMAS TRESHAM.

1596, June 21. Rushton.—Is sending up his son George with his [George's] sister, meaning that he shall stay with his brother Yonge until he can be placed either in the Inns of Court or Chancery, though he may take a chamber in town for a time as many else do. Mr. Francis Tresham has encouraged him in this kind of study, and the cost already bestowed on him must not be lost. He knows he has nothing else to trust to but his learning, nor does he seem so fit for anything else. Knowing that Sir Thomas can best judge what course he should take, the writer prays his consideration of the matter. His son [-in-law] Yonge will be able to advance what money is needed.

With postscript stating that cattle have been bought costing 247*l.* Also that corn is grown to an exceeding high price upon the sudden; that the common people and many others exclaim upon enclosures, and that Sir Thomas is "not forgotten for Hasselbiche, although it be beforehand." 1 *p.*

LADY TRESHAM to her sister [LADY VAUX].

1596, Aug. 12. Rushton.—The Countess of Darbie being hunting at Brigstock Parks and having thither invited her daughter Montegle and herself, and their own coach not being

sufficient for themselves and their company, they have made bold to stay her ladyships's, notwithstanding the unwillingness of Parker, her man, who, without her ladyship's privity would for no entreating (had not Mr. Tresham undertaken to excuse him) have yielded thereto. They would have had Parker leave his horses for this one day to Dickon's guiding (because of the tythings, from which he alleged, he could not well be absent), but to that he would not agree. *Signed.* $\frac{1}{2}$ p. *Also draft of the same.*

SIR THOMAS TRESAME to GEO. LEVENS at Rushton.

1596, December 7. Hogsden.—Jesus. Maria. The book mentioned in my last letters you will receive by the bearer. "I also have therewith sent Lewes a Comineus, now very lately translated and put into print. He was one of great worth and singular experiences, and withal oft employed upon affairs with England. The book is worthy of reading and observing. As his history is of no mean credit for truth, even so are his discourses memorably to be pondered and registered. Let Lewes evermore in reading thereof, and of every other history, have special recourse to his cosmographical maps, to view therein the places treated upon, no less for the better understanding his history than for the better remembering of his history, as also for his instructing of the kingdoms, provinces, cities, castles and the like which falleth within the compass of such treatise. . . . I would have Lewes ready in Clavius' arithmetic and well understanding Lylly and Camden, that he be not ignorant of our own country who seeketh to know the cosmographical contents of the whole world. George Vavasor cannot employ his time better than to associate Lewes in Camden and Lilley at some 'behoofefull' and convenient times. That Lewes profiteth at his study and industriously employeth himself thereto, not a little liketh and contenteth me." $1\frac{1}{2}$ pp.

M., LADY TRESAME to her husband, SIR THOMAS TRESAME.

1597, May 27. Lyveden.—Jesu. Marye. Good Tres, Wavysor hys not returned from Coverlay fare and there fore I know not as yet what hys coccese [*? success*] hathe bene, my brother terrynggame was not at rowell fare, I hafe sent you a coppell of harnes howte of the nest and ha[ve] fede hone for youre hone hetying also [*torn*] cheses of russon dary for lyfden chese hys not yt redy, I am a frade thyse cheses wyll shame my hosefry [*huswifery*] Thys desyryng to be most hartely recommended to you all wythe the lyke to ser jone hyam, [*beseeching?*] gode to send you lyberty, from lefdon the 27 of maye 1597 youre hobedyend and lovyng wyfe."

Addressed:—"To my very besbeloved husband ser Tomas Tresame knyght at hely gyfe these."

On the same sheet:—Notes and figures by Sir Thomas. Amongst them "*Uxor et virgo, regina et sancta, beata Etheldreda, ora pro me miserrimo peccatori, Thoma Tresam,* and an English version of the same with figures over each word.

SIR THOMAS TRESAME at Ely.

Eely, 15 Julii, 1597.—“Memorandums concerninge 2 peces of paynted worke at Eely in parte of the galery chamber wyndow ther. viz.

“In this chamber wyndow west towards the orcharde I have bestowed sume payntyng, fyndinge that Mr. Browne hade don the lyke in that wyndow (and all my fellowes in theyr chambers) though I havynge been twyce committed hether heartofor, in which tymes nether I nor any of my then fellowes then hade, but att this my thirde committmentt fyndinge as aforsayd that every of them hade and that Mr. Browne in this wyndowe, I followed that ther presydenentes therin, and did take the resydw (or at lest so muche of the resydw) of that wyndow to use therin my owne devyse. That ys to say the opposite spley of the wyndow to Mr. Brownes spley, the wholl lintalinge of the wyndow somewhat circular though very lyttle, and the distance from the hed of the wyndow lights to the lintalinge. . . . The distance above the wyndow to the topp I call the frontispike, the other the lintallinge or arche (beyng all ston and the wholl thikness of that wall).

“The third I terme the spley of the wyndow, beyng the thikness of that wall and spleyth.”

[*Note concerning the drawings, or “cloths,” which are wanting.*]

“And wher some of my fellowes having the crucifix paynted in ther chambers, the same was in ther absence wasshed owte and purposedly defaced, yett ther armes, inscreptions &c. to remayne, I therfor have hearin putt nothing wheratt offence ys to bee taken; moreover yf ether question should therof aryse, ells bee defaced, I thought yt requisytt to have them exactly thus in cloth purtrayed.

“Most thinges in this contened ar so perspecuus of them selves that they nede no explaninge, and soome ther ar which needeth explanation, for in impreses (*sic*) ys observed to bee so putt downe as differ from vulgarr apprehension and yett wyll redely bee interpreted by men of skyll, especially yf skylled in that wherin the imprese or figuratore sene reacheth unto. Thes therfor tending to highest poynets in divinitye, trynite &c. both forth of scripture and the fathers, also some poyntes forth of historye, musike, geometrye and arithmatikk, fordermore using latyn, greeke and hebrewe, in all which to bee skylfull ytt sorteth not with the greatest nomber, and in as muche as thes not onely derived forth of many fontaynes and depending uppon a multitude of particularities (now perfectly in my memory) wher ytt may happ that hearafter my present intendinge them may then be to seek, I have hearin breefly touched some of the herdest concerning scripture and the fathers, omitting hear those that depend uppon geometricall and arythmeticall relations &c. to be contened by them selves ells wher.”

[*Then follow descriptions of devices, ornamentations, texts, &c. Amongst other things are mentioned the sacred names and monograms, triangles, circles, the cross of Constantine, the lamb, serpent, stork and dove, his own and his wife's arms, &c.*] 4 pp.

The next sheet is headed :

"Concerning some poyncts in the frontespicke, as in the lintall or arched ruff [roof] of the wyndowe aforspeceified, as also of some above or rather withowte the sayd frontespicke, viz.:—

"*Frontespicke.*—The dates of yeares &c. att eache end of the frontespicke ar evydent of them selfe, declaring the day of the incarnation, nativitie and passion of owre savior Jesus Christe; also the day and year when I fyrst resolved uppon the garnishinge of that wyndow with depaynted devises as likewyse of enlarging with some additamenttes (towching the holly Trinitye, the passion of owre savior, as somewhat in laude of his blessed mother, as of owre resurrection &c.) reverend byssshop Allcockkes devise uppon the Nativite of Christe.

"Wherin may bee nooted how they all ryse from the number 25, a quadrate number of Jesus as of Maria. Th'on multiplied by th'other maketh the producte of 25 &c.

"Then this present 25 Martii, 1597, the day of passion and incarnation wer both of that day. I mean good fryday uppon the annuntiation day. Thowghth yt bee not undowtedly certen that Christe suffered the same day of the mooneth wherin he was incarnate, yett doth many lerned so thinke, and most that ether he suffered or did ryse that day, therfor in differyng letters of golde ys added to *passus &c., vel resurrexit.*"

[*Further descriptions of devices, quotations from scripture, &c.*]

"I have not leasure, throwgh the hasty departure of this messenger, to review what I have hearin wrytten. Yf owght hath escaped mee in matter of so high and divine importance, I pray pardon and rest redy both to akknoledg ytt and to amend ytt.

Lastly, yf ytt bee demanded why I labor so muche in the trynitye and passion of Christe to depayntt in this chamber, this is one pryncypall instance therof. That att my last beyng hether committed, and I usually having my servantes (hear allowed mee) to reed nightly ane hower to mee after supper, yt fortunied that fulcyss my then servant reedyng in the Christian Resolution in the treatise of proof that ther is a god &c. ther was uppon a weynscott table att that instant three lowde knockes (as yf yt hade been with ane yron hanmer) geven to the great amazing of me and my 2 servantes fulcyss and hilkton who both lyve, th'one continuing my servant thother departed my service uppon my just displeasure." 16 pp.

The sheets of this document were found in three different bundles of papers. There are also duplicates of parts of the same and rough notes of designs, inscriptions, &c.

M., LADY TRESAME to her husband, SIR THOMAS TRESAME.

1597, September 26. Artlingborough.—"Jesu Marye. Good Tres. the wake a state of hore besbeloved sestar this barar can a dres to you, yf remedyes wyll serve no dote bothe for honesty and cylie [? skill] I make no dote bot she shal hafe thame. Wavysar and hylton ware at london of satarda last by tymes and to moro the fotinane shalle be wythe you at hely. God grant we

ma shortly hafe you at russon, thys barer makes hast thar fore my many harty commendacyons to you, I hand [end] the 26 of sebtember 1597 from hartalynboro your hobedyend and lovyng wyfe M. Tresame." 1 p.

Addressed:—"To my very besbeloved husband ser tomas Tresame knyght at hely gyve these."

On the back.—Numerical calculations by Sir Thomas of a mystical character, in which the words *Cruz*, *Maria* and *Christus* appear.

SIR THOMAS TRESAME to his servants GEORGE LEVENS
and JOHN SLYNN.

1597, October 9. Eely.—A long letter concerning his building operations, the laying out of his gardens, stocking of his orchards, &c. 15 pp. *Very much decayed*.*

ACCOUNT BOOKS.

1593, September–1597 [-8] January.—George Levens' accounts of payments to workmen, &c., with weekly memoranda of the progress of Sir Thomas Tresham's building operations. *Five paper books, numbered 1 to 5. Also a similar one for 1600-1.**

G. SHURROCK to SIR THOMAS TRESAME at Rushton.

1598, March 28. Creeke.—Sending the rent for a close in Syllesworth, and stating that he is willing to buy the same, although, the badness of the ground considered, he should prefer some land in the high field. $\frac{1}{2}$ p.

JOHN ANDREW to his Master, SIR THOMAS TRESSAME.

1598, October 12. Rushton.—Stating that he has agreed with Mr. Edward Hunter, a poulterer in Gracious Street, to take the grey, black and "rich" conies at 3*l.*, 5*l.* and 10*l.* the hundred, and giving information respecting various matters relating to the estates of Rushton and Pipwell. 1 p.

LEWIS TRESAME to his father, SIR THOMAS TRESAME,
knight, at Rushton.

1598 [-9], March 5. Hogesden.—"Jesus Maria. May it please you most reverent father, Farwel, one of our commons, who, as you have heard, hath heretofore sought divers occasions to wrangle with me, now lately did lie in wait to mischief me, watching his opportunity to take me alone at his best advantage, for divers times I have met him at the Temple gate when I have been in company of others, and he spake to me very kindly, neither could I perceive when we were at meals together that he was in any sort offended with me, but on Saturday was se'nnight betwixt ten and eleven of the clock in the morning, I had occasion to go into Holborne, and as I was going up the Temple lane he

* For description of these documents, see Introduction, xxxv. et seq.

espied me and did bid me good morrow, asking me whither I was going. I told him about a little business that I had in Holborne. I care not greatly (said he) if I walk with you, we did so, and our talk was friendly about town news, as of the going into Ireland, but may it please you, as we were going through Lincoln's Inn back court towards Mr. Spenser's chamber, he said to me, you keep company daily and the last vacation you did do exercise when I entreated you to the contrary with a slave and a rascal, meaning Mr. Best, only to disgrace me, therefore I will fight with you ere we part and if you will not draw I will run you through. I requested to take some other time and place as he cannot deny, he answered we cannot be more equally matched, for though his rapier was some two inches longer than mine yet I had the advantage in reach. I refused to quarrel with him doubting he had a privy coat on, with that he did swear that I lied and ran at me with his rapier and dagger drawn. I defended myself as well as I could with my dagger till I had drawn my rapier and in some few thrusts it so fortuneed that I thrust him through the arm, and afterwards overthrusting of myself and my foot being entangled in my cloak which at the first I had thrown by, did fall down flat of my back and withal my rapier fell out of my hand, then he ran at me being down but missed my body and withal then took up my rapier falling from me by this mischance, all this while not any came near us but two of his companions whom Farwel had set there ready to have witness that I did give him my rapier on my knees and entreated him to save my life, with like other false reports which he spared not every meal in the hall and in other places by himself and his favourites to spread abroad so confidently and braggingly that many of the house believed it to my extreme discredit. The next morning he accepted a challenge which I sent him, vowing to bring with him my rapier and that he should carry it away that could win it, but when he came to the place appointed he brought very near twenty with him but not my rapier, neither would he fight with me though I offered to have one of my hands tied behind me because one of his was hurt, so at that time I was prevented of doing anything. The cause of our quarrel was as you have heard, nevertheless one of Farwel's brethren told my cousin Cavely that the quarrel was not about Mr. Best but about Fulcis, whom they would defend being their cousin and abused by me when I did strike him in the church [church], and Farwel himself did give it out that I was a base rascal and a coward and that he scorned to fight with me, but wheresoever he met me he would kill me with a pistol, and from that time he walked continually with his case of pistols and guarded with divers and not seldom accompanied with Fulcis, and caused some of his company to walk divers times on purpose towards my chamber to outface me, as it was told me by divers gentlemen of our house. The next day began the reading, at which I was not, because not in commons, but had the benefit of it by the relation of some that were present, for I had endured such discredit both in house and town as most in London can better

utter than myself, so that I was persuaded by all of the house that I could not for shame come into the house till I had plainly made known to the world whether things were as Farwel had slandered me. He never stirreth out of the house but with a multitude, which I then seeing (being loth to interrupt the reading with quarrelling) thought it best to keep myself so close that no man knew thereof but Mr. Best and George Vavasor, who reported that I was gone into the country till after Easter, hoping at the end of the reading to have met with Farwel alone and so have won again my lost credit. The reading ended on Friday last, then I sought conveniences to effect my purposes, but could by no policy get him out of the Temple, therefore meeting him on Saturday night last in the cloisters late, he was rescued from me by a multitude of his companions whom in some convenient place or other he hath always procured to walk near about him that I could never deal with him alone with credit; being rescued from me and guarded to his chamber he bragged hereof more than of the former, and all turned more and more to my discredit, and not herewith contented he complained on Sunday morning to the Bench, informing them that I was the first that began the quarrel and that he could not stir for me but that I assaulted him daily, so that the Bench was incensed against me, as I was told, in such sort that many doubted that I should be put out of commons if I submitted not myself to Farwel. I therefore seeing that by no means I could light of him abroad nor privately, and that I was so heinously discredited by him, was enforced to beat him with a cudgel as he sat at dinner, which was well liked of all the house but the Bench, whom I fear I have offended egregiously, though but two of them there then present, that is Mr. Davis, who was reader, and Mr. Heugh Hare, for first they sent certain gentlemen of the house to my chamber to have me come before them, but it was answered that I was gone, then came Mr. Recorder's warrant brought by our butlers. I said I would obey it if I might be secured from Farwel's company who lay in wait to mischief me, the captain thereof next Farwel was Crispe, who the last vacation drew his rapier at me in the house upon no occasion. When the butlers departed, I went with two gentlemen of our house towards Mr. Recorder's in Fleet street, but by the way Farwel's company did set upon me so that I was forced to get away down Whitefriars where I escaped from them, and not to go to Mr. Recorder's; whence I expected nothing but commitment, which if it would have appeased the Bench I would willingly have endured, and a far greater punishment, whom I always laboured by my behaviour to please and especially thereby to attain to that knowledge in the law which was by your fatherly providence most carefully intended, but it is my hard fortune that such occasions are offered me that I must either lose the good will of the Bench or live in the house in such discredit of the house, as ashamed to be seen of any. Other ways of revenge would have better pleased me than this, could I have found out any other open revenge

for the open discredit which he procured me. I have truly told you wherein I was misused by others and wherein I have misdemeaned myself, I most humbly beseech you not to construe it as purposely done upon slight cause, but constrained thereto to repair my credit, which how greatly it was impaired I am not able to utter. I am loath with untruths to excuse what I have done amiss. I absent myself from the Temple and mean to live privately till I hear from you. I doubt not but by good means I may be reconciled to the Bench, for I hear that they give out good reports of my behaviour. So in most humble manner I end craving your blessing, beseeching you to weigh the cause of this action with the manner of doing it." 3 pp.

EDWARD NEWGATE TO SIR THOMAS TRESSOM.

1599, June 18. Norwyche.—“In most humble wise remembered unto your worship being sorry at heart that I am not able to perform that debt unto your worship, the which I would willingly do if my ability would serve, but being now fallen into great distress by reason of great losses and being also crossed in my trade to my utter undoing. And by your worship’s favour I would make it known unto you:—first for my trade of buying of wool, because the statute of the land is against it, it hath cost me for licences since my occupying began at the least 200*l.*, besides I have lost by Dutchmen decayed and gone away beyond the sea more than 100*l.*, besides I have paid 50*l.* a year for interest money, these be greivous crosses for a poor chapman as I was, having nothing to live by but my travail and labour of my hands, and also being well known my beginning to be small, for I never had 30*l.* of ready money of any friend I had in all my life. And come to later time, I bought two years past one Mr. Tirrell’s wool, dwelling about Stonye Stratfor, he having two years wool being much of it both tarry and rotten which I knew not until I had bought it. I was forced to put off ninety tod of the same wool that would not serve for Norwyche unto Peter Alen of Owndell by name, to sell it into Suffolk, to whom I was constrained to lose iijs. in every tod of that it cost me or else he could not have sold it; now this last year I bought Mr. Tiringames wool being two year’s wool at 23*s.* 4*d.* the tod, besides it cost me twenty mark for the carriage to Norwyche. I was forced to sell off that wool for xvjs. the tod, some at Norwyche and some to send to Berye in Suffolk and both for xvjs. the tod, besides all this, of late time having wool coming out of Buckinghamshire by cart my sacks were ripped by the way by the carriers and stole out as much wool as came to xxii*l.* of money and the sacks cunningly sewed up again. Also of late time having wool coming by cart to Peterborowe, the water men through their negligence cast me a load of wool into the river at Peterborowe bridge, whereby the wool being spoiled I lost I know not what. Thus under correction I have laid out unto your worship my poor estate, desiring your favour toward me in this my distress. May it please your worship your man Mr. Hilton hath been with me and made demand for your money, and for answer

hereof to your worship this is the course that I am willing to take, the next week I would procure two or three of my neighbours to price my household stuff and two or three tenements that I have wherein consisteth my whole substance, and when I know what value they will rise to I will write it down, and also what debts I do owe, and then will I signify the same unto your worship and to the rest of my creditors to be equally divided amongst them, and therewithal desiring of your good worship and the rest for my liberty to live like a poor man.

“And this is all that I can do if my life lay there upon, and this would I willingly do to the uttermost of my power. And thus desiring your worship to pardon my boldness herein I commit you to the Lord evermore.” 2 pp.

SIR THOMAS TRESAME to [his Cousin TRESHAM?].

[1599, Summer of. From the Fleet.]—I heartily thank you for vouchsafing to peruse my late tedious lines, and for your friendly certifying what seemeth strange to you though not to me, after twenty years adversity; that I have many enemies and that my actions are misconstrued. Both are most true. The might of my enemies has changed my liberty to perpetual thrall, “my more than vulgar favour of the time” into indignation, my wealth to miserable want, my abounding of worldly delights into an ocean of unspeakable heart griefs. My foes prevailing against me, forsaken of friends, despoiled of my neighbours, condemned of my own followers, “in so much that no longer since than this last year past a paltry minister (where I dwell) who neither is learned, honest, or of any credit in the country, but infamous for his riotous, loose life and beggaries, braved me that my servants and tenants more feared him than loved me, and sooner would choose to offend me than any of them dared to displease him. . . . But when I consider from whence this and all these springeth, I am not a little comforted in them. Had I remained a worldling these had not mishapped me. . . . Multitude of enemies are heaped on me by reason of my being produced to public conventings at Newgate, Starr Chamber, and Guyld Hall, and not seldom before the Lords of the Council, sometimes alone and divers times with my fellows; but I always there enforced was to make defence for all, albeit I shunned it what behovefully I might. This was one of the principallest articles whereon by Mr. Warde and Mr. Yonge I was examined at my last being prisoner here some five years past, and whereat their lordships conceived greatest offence against me.”

Letting pass these protestant enemies, who can annoy me but by making me vulgarly odious, I am to descend to enemies far more grievously wounding me: *amici mei et proximi mei domestici fidei adversum me steterunt*. God forgive them, and give me Christian patience to endure so intolerable a cross. I will pass over generalities concerning my dealings with Fulcis and his wife, and the widow; but as regards this clamorous action of Fulcis I declare that I have done nothing but what becomes an

honest man and provident kinsman and friend on behalf of a forlorn kinswoman, being her nearest kinsman, and "also interested at the special instance of her mother, my sister, whose daughter's so wicked mismatching herself shortened my said sister's life with extreme anguish." [*Here follows a defence of his own conduct.*]

Could I marvel, I should marvel mightily that Catholic Christian ears can be open to such a treacherous varlet, and know not whether more to condemn their indiscretion or want of charity. Though my words have no weight in their ears, yet might my former life have pleaded for me. Let the calendars of my greatest enemies be ransacked, and my honesty shall be cleared. "And as for the Catholic cause, when did I at any time fail therein, or forbear to yield defence thereof. . . . In all the time of my twenty years adversity in restraint, I never had falling out with any of my fellows nor with those who had me in charge. . . . I have lived forty years owner of my lands in Northamptonshire and never there had in all that time but one suit, and that for above a hundred pound land of inheritance, detained wrongfully from my ancestors and me almost eighty years. I recovered it by many years suit, albeit the then Marquis of Northampton (my near kinsman and one of [my] mightiest adversaries) and the judges of that circuit, also all the puritans and preachers, combined therein against me. Had not my right been good and my means to recover it well managed, I could not possibly have prevailed. To conclude this point, I further do add (giving God thanks for it) that by no deed nor word of mine, never any was harmed or brought into question of danger or trouble, in which time I haply have protected and pleased very many. I wish the like had happened me by others. . . . Then resteth what errors of mine are inferred upon suits and their successes in the time of my imprisonment, which only have been, on my part, two. The one against Lord Morley for receiving great sums of money of me and not assuring my daughter Montegle's jointure answerable to marriage articles of agreement, wherein I have obtained a decree in Chancery against him; the other was lately in the Arches, against an untoward and giddy-headed young man (Ambrose Vaux) evermore stirred (?) to his bane and in reprobateness to his honourable parents by his sister-in-law the widow Vaux," who by pretended letters of administration hath got possession of great part of his mother's goods, notwithstanding her will published in court. [*Margin.* I have also been put to some actions against bankrupts and bad creditors, but these proceed principally from Fulcis' bad dealing, of which suits I take little account.] The said Ambrose, with a Catholic servant of the widow's, sought to have disabled the Lady Vaux to have made any will, in respect she stood excommunicated at the time of her death; and in self-same sort caused excommunication for recusancy to be in open court urged against me, to disable me of bringing any action as an executor against them and to prevent me from obtaining the goods, which I needed to pay the Lady Vaux' poor servants wages, and to satisfy some of her poorest

creditors. But upon my calling the widow and the residue into the Star Chamber, they laboured by mediation of Justice Owynn, that I would surcease the suit and accept restitution of the goods. I willingly accepted thereof, and their lawyer, Mr. Pagett, promised that I should be presently satisfied, yet all this notwithstanding, no restitution of any pennyworth thereof is yet made.

“But if my error in proceeding is to be squared by success of suits which others have had against me during these my twenty years adversity, and that ill speeding should be an undoubted argument of ill proceeding, I must then confess to have erred greatly. That rule is so fallible as palpably is to be excepted against, and if in all ages it hath been vulgarly said that ‘Causes are not seldom ended as the parties are friended,’ why should it not also hold in these days? . . . I demand whence came these suits so attempted against me? All only forth of that house which is most beholden to me of any whosoever. My meaning is, forth of the Lord Vaux his house, prosecuted by two of his daughters and by his son’s wife, the now widow Vaux. Other suits than these, none. [*Margin.* I omit the suits which at my very first commitment to prison twenty years since were had against me by the late Lord Treasurer for a freebord of inheritance; and by the Earl of Leicester for a fine in his office of Fines; in both which my learned counsel (Mr. Plowden and others) assured me that the law was clear with me; also by Mr. Secretary Walsingham in defeating me of an extent of a bankrupt’s lands^{*} to the worth of 200*l.* by year which I had extended for 800*l.* debts.] And all these gentlewomen Catholics, and notoriously every of them disagreed one with the other, until their implacable malignities towards me hath settled a moody atonement among them.”

To begin with the last [Muriel Vaux, wife of Fulcis] as to me of the least import of the three, she hath proceeded with extreme rancour and intolerable clamours and defamations against me, causeless and trothless, which in generalities I will pass over, having lately acquainted you with them.

“A second was my cousin Ann Vaux, another daughter to the Lord Vaux, not by my sister but by his lordship’s first wife. This gentlewoman is reported a zealous and virtuous Catholic maiden, in exterior show renouncing (as it were) the world, to live a Christian, virgin life. She taking opportunity of my last commitment hither for recusancy some five years past†, all which time I was kept so close a prisoner from Hillary term until Trinity term ended as I was denied to have any servant of mine to attend me, or my wife, children &c. to have access to me, no not in the Warden’s presence; . . . “this virgin did not only take advantage thereof, and thereby did in that time obtain order against me to pay her 500*l.* speedily, when the money was not hers but upon a contingency of her marrying or else surviving

^{*} i.e. George Baull. See p. 61 above. † In 1594. See p. 80 above.

her father . . . but also raised more odious and public outeries against me than her sister Fulcis now hath or could, by reason of an outward more virtuous carriage of herself, . . . moreover a serjeant purposedly entertained to inform the court that I deceived had another of her sisters of the like marriage money portion, and had married her to a monastery instead of a man, and there relieved and maintained her in a seminary beyond the seas. . . . Whereupon the now Lord Keeper, then Master of the Rolls, and sitting in Chancery Court as judge in the absence of the Lord Keeper, answered it was matter of State, and that it was to be answered at another bar if it so should prove true." When I was to pay the money, I prayed the Lord Keeper that as now I was to pay it upon the Lord Keeper's and his own order before it was due, to one who had no other right to receive it, I might be protected from having to pay it to the Lord Vaux if it proved due to him, as it were "contrary to all good conscience to pay it twice, and especially when I had not received it. Upon that motion, Justice Beaumont and Mr. Brokesby became bounden to save me harmless, but with much difficulty obtained. A cold remedy, should I have had to sue a judge." She was ordered to come to me and acknowledge herself beholding to me, which she did at my house at Hogsden.

"The third was the widow Vaux, who implacably hating me and mine, commenced suit against me in her son's (an infant) name in the Court of Wards, where she well knew I most disfavoured was. A trothless and detestable infamous bill she caused to be there exhibited, for my combining with some noblemen by name, also with divers Catholics [*Margin.* The noblemen, Sir John Arondle, &c. are not charged for combining with me for deceiving of the Lord Vaux of those thousands of pounds, but for deceiving him in the possessions of the barony], Sir John Arondle and others of reverent worth, for cozening of the Lord Vaux of very great sums of money, and also had deceived him of all or of the greatest part of the possessions of his barony, and that namely I and my eldest son had therein gotten estates to us and to our heirs, to the utter disheriting of her son." To further her cause, she registered her husband's father, Lord Vaux, as an idiot, thereby inferring the facility I had, by the aid of my sister, to deceive his lordship in the trust he reposed in me and others. Thus she recorded her son's grandfather (to whom she owes all her advancement) as an idiot, his grandmother a monstrous conspirator against him, myself, his uncle, an arrantest knave (and yet the child, had I not prevented some sinister designs, had never had any part of the possessions of the barony, which had gone to the widow Brooksby's children). "A worthy work of this virtuous wise woman it will be for her son to behold, when he cometh to years of judgment." I sought in Christian course to have the matter friendly decided, but when she would not admit thereof, "I put in such an answer for the defence of my credit and of all the residue, honourable and worshipful, as never reply was made thereto, albeit in freeing us, I reeriminated them" so as that it was to their exceeding shame that they could not answer. They then turned all their suit to

obtain that my answer might not remain of record, but be taken forth of the Court of Wards.

I omit to enlarge on her course upon Lord Vaux' death, to defeat my sister Lady Vaux of a great part of her jointure, who had already parted with divers manors and lordships, to relieve her lord, "answerable to the due of a loving wife," and lived in miseries chiefly occasioned by their son's mismatching himself with this now Harroden widow, as also her other actions against my sister, who, had not Almighty God of his infinite goodness taken her forth of this life, had ended her days in prison, for other remedy she had none.

Not unlikely you will marvel whence this all proceedeth. "As it is said *nihil fit sine causa*, so is it likewise said that no malice [is] comparable to the malice of a woman." To begin with, I withstood her marriage to my nephew; first in respect of the relief Lord Vaux should have had by his son's marriage, being offered 3,500*l.* and divers other great matches; next that his lordship's eldest son should not be frustrated, who relinquished his birthright to relieve his father by his brother's marriage when he himself professed a single life, and lastly that "in regard of her creditless carriage when she went for a maiden" I thought her an unfit wife for my nephew. "No sooner was she married but first she began with that most virtuous and true zealous religious then gentleman of rare worth, her husband's eldest brother, who upon the adopting of her husband into his birthright as aforesaid, reserved only to himself a thousand pounds other than an annual rent of 20*l.* or 30*l.* by year for the continuance of some years. For the payment hereof I offered him his said brother's statute and mine. He refused it, and would have me promise him in the word of a Catholic to pay it him, and in that behalf to give him my hand, which I did. When this money should be paid, she absolutely denied it. . . . This was the great requital which this new married wife bestowed on us, for her husband's adopting into his eldest brother's right. Notwithstanding, I discovered to my cousin how to levy it and a further sum, whether she or her uxorious husband so would or no, which mightily increased her malice towards me. Secondly, when I had procured her husband's sister to have 1,700*l.* upon agreement of marriage with Mr. Lovell, . . . her said husband, advertised of his said sister's (the now unfortunate wife to Fulcis) formal contracting to Mr. Lovell, did write seriously to me to have given my consent to have saved 700*l.* of that 1,700*l.* portion, because they were so firmly contracted as needs must proceed to marriage whether any money was paid or no," and when I for no entreaty would yield thereto, there ensued from them both all the rancoured speeches and raileries that might be lavished out. Thirdly, when she and her confederates had plotted to defeat me in this matter, as also to have deprived Lord Vaux of means to pay his debts and relieve his own necessities, and did withhold from him his own mansion house of Harroden, "I did set him that course by way of Act of Parliament to effect his desire" which settled such a habit of

hatred in them both against me that she will hardly be reduced to any Christian terms.

The malignity of my cousin Ann Vaux and her elder sister, widow Brokesby, "with whom she liveth and by whom she is speciallest directed," grew upon the adopting of my nephew into their elder brother's birth-right because he^{*} was pleased to use my help. He desired me to say nothing to his sisters, because, not long before, when he was so minded, he was very powerfully terrified, it coming "to be debated among priests concerning his retiring from the world and refusing to marry, wherein he fully satisfied them," and upon this the sisters charged me with concealing the matter from them. But their principal grievance was that, understanding of some speeches that upon their brother's death all the possessions of the barony should go to widow Brokesbie's children, I with infinite toil laboured through the assurances made soon after my sister's marriage to Lord Vaux and "fortuned to find out the point where their Uncles the Beaumonts (both lawyers) had cunningly overgone us, and so out of all doubt, had not I prevented, the honour of the barony would have gone to my nephew, and all the possessions of the barony to widow Brokesbie's children."

And this third (or rather fourth) sister, my kind niece, after all my kinsmanly care of her, requiteth me with monstrous malice; "first that I will not shake hands with her in this witless casting herself away on a land-lopper, a very beggar and bankroot base fellow, and shamelessly abandoning so worshipful a match as Mr. Lovell, . . . then that I tolerate not of her husband's treachery therein, [who] being my servant, and well knowing of the said contract, should seek by shameful and sinful means to offer me that villainy; and where to solemnize that their scandalous inter-marriage but secretly in my house," thereby raising an outcry that I was a confederate, and meant to share her marriage portion with that arrant varlet of mine. Further, when I had paid them over 1,200*l.* of her marriage money, they declared they had not had a penny, and had I not fortuned to get hold of Fulcis' account books, I might have had to pay it over again, as he was both receiver and disburser, and other proof I had little or none. Moreover, because I refuse to give up the 750*l.* left in my custody by them both to be reserved to her and her children, in case Fulcis should die, or abandon her and marry another wife, "as he lawfully may do by reason of the aforementioned formal pre-contract with Mr. Lovell," they having already wasted the 1,200*l.* Lastly, they are angry that I refuse to pay them many hundreds of pounds on a decree lately obtained, "wherein they have notoriously abused the Court, to my exceeding discredit, charges and close imprisonment, . . . for the Lord Keeper thinking that they would have sworn as fitting were for Christians to have done, they wickedly committed damnable perjuries."

^{*} *i.e.*, the eldest brother, Henry. He, Mrs. Brookesby, Elizabeth, and Ann were the children of Lord Vaux' first wife; George, Ambrose and Muriel being children of the second wife, Tresham's sister.

And, to conclude, this I say: that if what I have put down be true (as I offer to aver and justify), then should not my fellow Catholics upon hearsay lend their ears to detracting speeches or their lips to reporting them against me, seeing that "civil justice, much more the law of God, forbiddeth to censure without hearing *alteram partem*." My innocency is to me a brasen wall of defence. I am not ignorant of my own frailties and am thereby taught not to be unmindful of my fellows' infirmities, fellow members of the self same body. I pray God of His infinite goodness and mercy to forgive those who have injured me, "to whose holy tuition I leaving you, do end these my endless lines, endlessly acknowledging myself beholding to your friendly forewarning me. Who is warned is armed, and who telleth me of my error discovereth to me high priced treasure. Once again, farewell, my dear beloved in Christ Jesu." 12 pp. *Draft*.

Also.—Rough draft of parts of the same, addressed to George Levens, probably for copying.

From this letter it appears that "Fulcis" was George Fulshurst, who married Muriel, daughter of Lord Vaux by his second wife.

SIR THOMAS TRESAME to LORD KEEPER EGERTON.

[1599, Summer of. From the Fleet.]—Part of a long letter concerning the wrongful demands made by Fulcis and his wife, in consequence of whose proceedings, Sir Thomas has had "to remain all this summer close prisoner, which greatly and very greatly importeth the poor estate of me and mine, and much more my sickly estate of body in this unhealthful prison, and in this contagious, 'whot,' and most dangerous season of the year, having here but one little chamber of fifteen foot long and twelve foot broad, and no place for any servant of mine to lie here within this prison to attend me." After arguing against the justice of Fulcis' demands, he continues:

"I was he who procured Fulcis' wife first 500*l*. as her three sisters many years before had. Next I got it increased 500*l*. more, and that by none of her honourable parents gifts or with their privities. Lastly I was the principal means of procuring her father, the Lord Vaux, to augment it to be 1,700*l*." 1 p.

SIR THOMAS TRESHAM and FULCIS.

1599, July 13. "My chamber here in the Fleet."—Memo. that in accordance with an honourable message from the Lord Keeper and in presence of his cousin Horsman "of the Court," Mr. Warden of the Fleet, Mr. Cheyney, his solicitor, and Mr. Skinner, a friend of Fulcis, he has had this day a meeting with the aforesaid Fulcis, and made certain offers, which were well liked of and accepted. 1½ pp. *Partly in Sir Thomas' hand*.

Also.—Statement of the agreement thus made for payments to Fulcis, and a "money portion" to his wife. 1 p. *Signed*. (Probably enclosed in the petition on the following page.)

SIR THOMAS TRESAME to his cousin, THOMAS TRESSHAM.

1599, July 29. Sunday. The Fleet.—Praying him to acquaint the Lord Keeper with what has passed between himself and Fulcis, and if possible to obtain his liberty upon bond. *Draft.* 1 p.

Petition of SIR THOMAS TRESAME to LORD KEEPER EGERTON.

[1599,] August.—Upon your honour's message of July 12, addressed to him by Mr. Warden, petitioner next day held a conference with Fulcis. [*Here follow details of what passed.*] Fulcis requested some day or two respite to return his absolute answer, since which time, three weeks ago, petitioner has heard nothing, save that on July 26, Mr. Warden advertised him that Fulcis had presented a petition to your Lordship, and on the 3rd of this present August, Mr. Waldren, petitioner's counsel, met Fulcis and his wife in the street, who declared that Sir Thomas should not get out of prison until he had paid all they claimed. Wherefore the premises considered, and that petitioner has been long time so closely imprisoned that his wife and daughter Mountegle, coming, the one from Essex and the other from Northamptonshire, were denied access to him; also that his health and the state of his affairs do much import his going into his country, he prays that upon important bond to return next term, he may be permitted to go down and give order to his affairs, from which he has been long absent, "to his great afterdeale," and is now likely to be much longer absent "by reason of a general commitment of such as he is." 1 p. *Two copies.*

SIR THOMAS TRESAME to DR. CASE.

1599, October 2. Rushton.—Stating that wishing to send him half a buck, he had delivered it to a certain messenger sent to him by his cousin Tresame of Newton, giving the man money both for his charges and his pains. Not until the buck was sent back to him at Rushton did he know that the messenger "neither took the venison with him, nor left the money behind him." *Copy.* $\frac{1}{2}$ p.

SIR THOMAS TRESAME to ———.

1599, October 14. The Fleet.—Sending his "reverent good friend," certain papers relating to the suit with "the sisters," which, for ease in reading, he has had written by a Catholic friend, his *alter ego*, in a more legible hand than his own. *Copy.* $1\frac{1}{2}$ pp.

THOMAS TRESSHAM to his cousin, SIR THOMAS TRESSHAM.

1599, November 3. Newton.—Offering to take a lease of lands in Brixworthe and Pilton upon certain conditions. With postscript saying that he sends by the Kettering carrier "a poor

trifle, namely four woodcocks, being new killed, the hinder claws being cut off to avoid changing." 1 p.

Payments to LABOURERS.

1599.—Weekly disbursal to labourers in the year 1599, viz. from Dec. 23, 1598, to Dec. 22, 1599. Sum total, 136*l.* 2*s.* 10*d.*, "whereof only 69*l.* 15*s.* for masons' work."

LADY TRESAME to LADY EGERTON.

1599[-1600,] January 12.—"License me, Madame, to impart in sorrowful lines to your ladyship the due of a loving and careful wife." My husband being charged at few days warning with payment of 950*l.* to Fulcis, sent order to me and others to levy the same, esteeming little his loss therein, in regard of avoiding your lord's displeasure. "Accordingly we exposed to sale such parcels of great worth, and that at so easy penniworths, as could not want ready purchasers." But, not doubting of my husband's immediate delivery, I failed to certify to him the need of his speedy repair into the country to effect the same, by reason whereof he could not obtain his liberty. On hearing this, I journeyed to London at Christmas last "to amend that, my amiss, what I possibly might, when most unfortunately ill mishapped me." For I finding by your lord's speeches to me that he had conceived displeasure against my husband; finding also that Fulcis and his wife had declared in open court that Sir Thomas showed the fruits of his religion towards his niece by unjustly detaining her money and electing rather to lie in prison than to pay it; and hearing moreover "that a neighbour of ours, one of great wealth and more than vulgar credit, did lately report to a gentleman who serveth my husband, that the Lord Keeper should in the Court of Chancery say that Sir Thomas Tresame was a bad man every way and deserved no favour in that court, which speeches and the like though I assure myself were trothlessly enlarged and related, nevertheless . . . duty obliged me to beseech his lordship to hear my husband. Which my humble request his lordship did take far otherwise than I meant, as hereby intending that my husband was sentenced in court by his lordship and not heard, where my meaning alonely was of my husband's demeanour in prison towards his lordship, wherein I not causelessly suspected that my husband had been notoriously wronged. . . . This I protest was simply my intendment in that request of mine, which to explain I abridged was by his lordship's forthwith departure." That his lordship should not so misconceive me, to my husband's prejudice, is my unspeakable care, and I pray your ladyship to stead me, as you would were done to you, should like accident mishap you in action on your beloved lord's behalf. I make bold to send you herewith that which will show you with what respect and reverence my husband has demeaned himself towards your lord. *Draft by Sir Thomas.* 3 pp.

Endorsed:—"La: Tres: to the Lady Egerton 12 Jan. 1599, for mooveinge her husband on the behalfe of Sir Th: Tres: then in Fleete concerning Fulcis cawse."

SIR THOMAS TRESAME to his daughter, LADY STOURTON.

1599[-1600], March 7. Rushton.—"Not seldom are they, daughter, deceived, who credulously crediteth the report of one in his own behalf, especially a self conceited man, and that a wooer. It seemeth by your mother's speeches, that upon letters lately received from Stourton, that Mr. Webbe so peremptorily excepteth against my dilatory proceedings with him the last term, that he hath broken off and given express notice thereof.

"A nice quarrel it is, were it as true as it is trothless. The term short, and ending in Lent (a season more fitting prayer and penance than passionate wifeing) might have in some sort excused me. . . . Another Fulcis and his wife haply would not have blushed thereat; but to be so captiously instanced by one that pretendeth love to match with my daughter, I think him utterly unworthy of any of mine." Either reason or humour must have lead him on; reason it is not, unless I rest deprived of reason, and "if humour hath alienated him, he is rather to be pitied than quarrelled at, and so shall pass unrecalled by me; else should I disparage my daughter and mine own discretion.

"My daughter her foolery, and my son's fondness, and your mother's unqualified forwardness hath added spurs to his over well-weening of himself."

"This is the state of the case. When from Mr. Sandes this match was first moved me, I gave no ear thereto. After Mr. Pryce renewed the motion I in friendly terms relinquished it, as not liking thereof. But upon your Lord's and your dealing therein, I yielded thereto, and answerably sent down your brother (I then in prison) to confer therein." He wrote that all was agreed, but Mr. Webbe afterwards denied the terms. Finding that he had already bought wedding apparel, which I fondly construed as proceeding from a settled love, I accepted his harder covenants. [*Here follow details of the arrangements.*] Mr. Nicolls drew up a paper book of the terms, though much disliking of them, and a day was appointed for my meeting Mr. Webbe in town. I stayed two hours for him in the Temple Church before he came, and then found him so backward and thwartly disposed, that "he suddenly departed all malcontented, refusing to proceed any further therein, which I willinglier accepted than he offered, and told him that I owed him 50*l.* which my servants had sundry times offered him, . . . therefore demanded when and where he would receive it. . . . He answered he would not take it unless I would satisfy him for the apparel which he had bought. I answered him that I advised him to buy none, neither would I pay for any, having no use for them. Then he snuffingly departed." Next day I sent your brother Lewes, and Hilton and Vavasor, with the fifty pounds and interest, but they could not find him. Since then I have

been busily engaged in getting up my evidences in Fulcis' suits (the very copying coming to above 17*l.*) but the day before I left town my son wrote that Mr. Webbe would yield to my demands and desired me to write them down, "which I huddled up in posthaste late that night," but when I met my son at Hollingburie, he told me that Mr. Webbe refused to accept of them. He denieth all agreements and "he telleth me my memory faileth me. Confer this with colourless carping at my delaying him &c., and judge you then whether he be not as wilful as he is a Wilforde. . . . I daily expect my son's coming from Hollingburie, where it seemeth my daughter Mountegle stayeth him with her. He can in some things more particularly acquaint you with his proceedings with Mr. Webbe. When I was in prison, my door was always open to him. I did not see him there all the last term but once, and that was at his coming down from Mr. Tregens at a great 'rifling' there for a wind instrument," when he said that he came not on business, but merely to see me, he passing by my door. "Farewell my dear-beloved daughter. Almighty God bless you and your sister and all yours. Commend me in friendliest wise to your Lord." *Copy.* 3 pp.

Endorsed:—"Sir T. T. to La: Stourton concerning a marriage between Mr. Webb and Mrs. Cath : ."

EDWARD, LORD STOURTON, to his father-in-law, SIR THOMAS
TRESAME, at Hogisden, aside of London.

[1600?], April 8. Stowrton.—Concerning the surveying of Mr. Webbe's land at Odstocke, and the attempts of other parties to bribe the surveyors to procure them a lease thereof. His wife has been ill at ease the last few days, and so prays to be excused for her silence. Signs himself "Your very loving son in law." $\frac{1}{2}$ p.

LANDS IN RUSHTON.

[1600, May 2.]—Memorandum of an information laid before the Queen herself, on the Friday after Ascension day in the 42nd year of her reign, at Westminster, by John Mathew against Sir Thomas Tresham, for converting a thousand acres of arable land in Rushton into pasture. *Latin.* 1 sheet.

•GEORGE FULSHURST.

1600.—Two receipts, dated July 1 and November 13, for 100*l.* and 41*l.* received by himself and "Meriall" his wife from Sir Thomas Tresham, in pursuance of an order of Lord Keeper Egerton. The first is signed and sealed, and witnessed by Thomas, Christopher and Richard Pygott and five others.

In the endorsements Sir Thomas writes the name "Fulcys."

EARL OF ESSEX.

1600[-1], February 19.—“The order of arrayning of Robert Earle of Essex and Henry Earle of Southampton at Westminster the 19th day of February, 1600. And (*sic*) Tho. Lord Buckhurst, Lorde Highe Treasurer of England by her Majesties commission for that day.”

Also “A noate of what was done and of the speaches of the Earle of Essex at his death.”

And “The names of all the Earles, Lords, Knights and Gentlemen which did accompany the Earle of Essex into the citty of London upon the 8th day of February, anno 1600 and was taken the same nighte for Traytors at Essex howse in the strande.” *M.S. copy, 21 p. 4°.*

The account of the trial differs somewhat from that in Howell's State Trials, and also from the two narratives in the State Papers, but is the same as that in the Harley MSS.

JOHN OSBERNE.

1600[-1], February 27.—Statement by John Osberne, that whereas the day and year above, there were certain bonds sealed by Sir Thomas Tresame and others of 2,000*l.* for the payment of 1,000*l.* to one Mr. William Ayloffe, “and the bands having a secret reference of a matter to be performed by a third party, not expressed in them,” he promises, if that be not performed before any of the bonds be due, to redeliver them to the parties bound, or renew them if they please. Sealed and delivered in presence of George Levens and William Vavasor. $\frac{1}{2}$ p.

Endorsed by Sir Thomas :—“My coosyne Osberne's trust, &c.”

JOHN OSBERNE to his cousin, SIR THOMAS TRESAME.

1600[-1], March 4. Wednesday night.—“At my coming to London I found a greater alteration than I expected, for upon a vehement information by my Lord Chief Justice of the misdemeanour of my cousin towards the Council he was set down to be arraigned. My cousin in my absence importuned my Lady to free him from that so great a blemish, and finding that she could not be fully satisfied, neither receive any assurance to the contrary, attempted a second means with promise of a large recompense. When I talked with my Lady [Katherine Howard] and signified to her how I marvelled that so contrary a course was intended to that which was promised for his arraignment, I found that she little hoped to discharge him, but for his life she nothing doubted but to save him, and assured me a reprieve presently after judgment. I used the strongest argument I could to persuade her not to despair to obtain the other, made bold to add rather than to detract, to encourage her in this desperate extremity. This I did on Tuesday night, and the same night she commanded her man to come to me to tell me that she had now prevailed, that he shall not be arraigned at all. I heard not of it until the next morning, and meeting your daughter-in-law by

appointment at Mr. Tuftons I told them this news. And they answered that this favour had come by a second means and not by her. This was [so] very strange to me, that I desired to be resolved of the truth of it, both in respect of my cousin's safety and my own credit. I went presently to my Lady and by circumstance gave her to understand that this favour came by some other, who was moved to undertake it, when she so much doubted to effect it. She grew presently very angry, and asked me if I intended to abuse her, in making any question whether she obtained it or no, and told me, if I would, I should know by a bitter proof, that it only came by her and no other. What otherwise she spake I will not trust my letter with it, but protested upon her honour, by her importune moving, contrary to her own hopes, she had effected it; and hath assured me of his pardon. Now if your daughter and Mr. Tufton, in their tender care of my cousin, have engaged themselves otherwise, it is no fault of mine, neither any in them but *error amoris*. I hope they have not contrived with any absolutely, for if I should leave these means, I should hazard an evil success perhaps to follow. They have not acquainted me with the party with whom they deal. I do assure me, you would think it no discretion nor honesty to be negligent of those favours and promises we have already, especially having already given security to them. You need not fear anything if I insist in this course I am now in. My Lady charged me to see that she be well dealt withal. Thus much I thought good to advertise you in particular, who much desire to hear of some issue of these unlooked for troubles."

Postscript.—"The arraignment intended to be this day, was deferred until Thursday. The parties to be arraigned, Sir Gelly Merick, Sir Charles Davers, Sir John Davies, Sir Ferdinando Gorge, Sir Christopher Blunt, Mr. Cuffe, Mr. Temple."

Sir Harry Nevill, "who was going Ambassador into France, lately committed." 1 p.

JOHN THROKMORTON to SIR THOMAS TRESSAM.

1600[-1], March 5. At my lodging in Milford Lane.—"The desperate and distressed estate that your son stood in, being made known unto me by my Lady Mountegle and your daughter-in-law, for that the Lady Katheryne Haward had (at three several times) desired them to find other means for the stay of his arraignment and attainder, neither could she promise any security of his life by pardon, but utterly disclaimed of any hope she had to help him, and returned the like answer by Mr. Osborne (as they informed me), most earnestly pressing me to use the like means for his relief as I had done for my nephew Catesbie, whereupon I engaged myself to three most honourable persons, and one especial instrument (from whom I received my former good) in the sum of two thousand and one hundred pounds to be paid within three months, to save his life attainder in blood, and such lands as either in possession or reversion might thereby accrue to her Majesty, the which I protest

was the most, and is reputed here by the wisest, to be the hardest cause carried over, of this whole tragedy, for that the Queen and Council were more incensed against him than any whatsoever, and it was eleven of the clock on Tuesday night before there was resolution of any warrant for the recall of what was passed against him, and should have this day been arraigned with Sir Christopher Blunte, Sir John Davies, Sir Charles Davers, Sir Gelly Merricke, Cuffe, and others that must die as the principal actors. Therefore as I have effected the best good for my cousin your son (as this bearer can inform you), so it may please you to see me saved harmless both in my credit and estate with these most honourable persons under whom I must live. Evenso not doubting of your wise and considerate care herein, recommending myself unto you and my good lady, most humbly I take my leave."

Postscript.—"I will be a mean to the Lords for warrant for you to travel hither if I receive word from you to that effect." 1 p.

SIR EDWARD WATSON to SIR THOMAS TRESSHAM at Rushton.

[1601,] May 4. Rockingham.—"I most heartily thank you for your advertisements and I am glad to hear of her Majesty's most gracious lenity. I shall rest very willing to join in band with you again if it be for twice as much, for so good a purpose as this is, even when you will, without respect of a counterband, for I hold your word sufficient for a greater matter. I did hear that Mr. Walter Hastings, either for himself or my Lord of Huntington, had procured two benefices to be impropriate by her Majesty, the course I will enquire of and shortly advertise you of it.

"Mr. Serjeant Hearne or Mr. Doctor Protherowe, the one of them two, was the man that told me thereof, but I am sure it must pass by her Majesty, the bishop of the diocese, the patron and the parson. And the motion to her Majesty will be most easily effected by a lady of the privy chamber. The suit will be very honest and pleasing, considering the churches both lie in one town and that heretofore they have been united, and now so feeble that they are not able to maintain one honest parson, as knoweth the Almighty, to whose protection with my most hearty commendations to your self and my lady I leave you." 1 p.

SIR THOMAS TRESAME to his daughter [LADY STOURTON].

1601, June 2. Rushton.—"Jesus Maria. Though I was in some hope to have seen you here this week (who to me should have been welcomest guest) yet should I have wished it to have been without tedious toiling in so long a journey. Albeit, I, absent in person, do notwithstanding daily visit you in mind, and remember your Lord, you and yours in my prayers, when I forget not to pray to God for myself.

"Your London journey might better yield you content than Rushton journies. There, after a sudden and unexpected desperate danger, you behold no unspeedy delivery thence of your

brother ; and here you should have been an eye-witness of not only my wedging in myself deeper and faster by easing of your brother, but also, otherwise, I drenched up (as it were) in a world of adversities. What my estate hath been, you well know, but [what] it now is, I most feel. With the Apostle, I may say that I have heretofore known to live and abound in plenty. I wish that with the said Apostle I may say that I now know to endure and suffer penury. Truly my estate is greatly impaired, mightily impoverished through manifold adversities. Nevertheless I have more left to maintain me and mine (in some poor plight) than I can challenge of due, or would, without offence to God. He who hath given all, may take away all, His holy will be done. Had I none to care for but myself, much less (yea, just none at all) should my care be in respect of worldly actions concerning myself. But when those whom I am careful to keep credit with some and provide for others, that I shall fail therein, by unexpected thwarts of adverse fortune, I have great cause to sorrow. Needy and poor am I (saith the royal prophet) O Lord help me. Mine may make benefit of this great alteration of my fortunes, that they thereby may behold what trust is to be reposed to this vale of miseries, though haply little shall they see worthy the hearing, following of me. In the well-doing of you and your good Lord I have great and very great cause to joy, which I wish may continue to both your hearts' desires.

"Farewell, my dear beloved daughter. Almighty God bless you and all yours, even so my daughter Mountegle and my daughter Webb, to whom and to your Lord and to Mr. Webb, let me be lovingly commended."

Postscript.—"If I shall journey to the Bath, I will send to you at least a fortnight before. How I am proceeded with in Chancery let your brother acquaint you, and with my now letter." *Copy.*
1 p.

SIR THOMAS TRESAME to GEORGE LEVENS.

1601, June 27. Hogsden.—Concerning Haselbyche, and the debt owed, on Francis Tresham's behalf, to old Robinson and his sons. Desires Thos. Vavasor to look over his accounts and have the money ready. Has slow dispatch in London, but too soon will be dispatched of 2,000*l.* for his son. Daily wishes himself in the country, and means to come down for the sheep-clipping, even if he has to return again to town. 1 p.

RECUSANCY.

[1601, July ?]—Reasons why the innocent husband should not be bound to pay for his wife's recusancy. *Draft in Sir Thomas Tresham's hand and endorsed by him* "Parliament queries." [There is a somewhat similar paper amongst the *State Papers* (S.P. Dom. Eliz. CCLXXXI, 37) which, although not dated, is endorsed July, 1601.]

NORTHAMPTON ASSIZES.

[1601, August 4-7?—Disbursements at the Assizes at Northampton, from a Tuesday to the following Friday morning, including sundry meals for the writer, his brother, Messrs. Chenies, Vavasor, Gibes, Crages, Butler, and Geo. Levens; Thos. Waker and John Andrews; fees to the counsel, viz., 20s. to Mr. Nicolls and cousin Mountegu and 10s. to Mr. Cru and Mr. Harve; 20s. to the jury, 2s. to the crier, and 6d. to “the ostlers and chamberlains.”

The dinners and suppers cost from 1s. 4d. to 1s. 9d. a head; those of some of the servants rather less. Some of the figures are destroyed by damp, but the total is 9l. 9s. 4d. [*Apparently in Lewis Tresham's handwriting.*] 1½ pp.

On the back: Memorandum, dated August 4 and 5, 1601, of payments coming to 100l., in which “the assizes” are mentioned.

FRANCIS TRESAME to his father, SIR THOMAS TRESAME.

[1601?—“Now that you find Mrs. More so wedded to her own will as that the future good of my brother cannot move her to disburse any money now, nor as the time now standeth, he cannot seek to right himself without exposing her to a great danger.” I have here propounded to you what seems to me the safest way to free yourself from your debt, by raising money out of Houghton and Welldon, and by passing Harington away absolutely for a rent-charge of 300l. for ever. [*With details of the plan suggested.*] By these means, you may have money for your needs, and may, if you pleasure, be able to finish your house this year. As to Harington, you may hope in time to make it worth 500l. a year, but not “without the overthrow of the town, for there are now 12 farms there at the least; if you should decay four and bring them to eight, these eight could not be maintained without sixteenscore acres at the least; the site of the town, streets, highways, and cottages would at the least take up fourscore more, so 400 acres would in that sort be disposed, and in the whole town you shall not find, I verily believe, two tenants that would be drawn to give you above five shillings the acre, for in all Hasellbiche there was not one tenant that would stay in the town to dwell upon improved rents; so you could not remove all the tenants without much clamour, and especially when it is so near Northampton, whose affections are well known to you; and how 500 acres, with the casualty of the parsonage, may be rated at 400l. a year I see not”; and considering charges, &c., he buys it at 400l. a year. Since these sums must now be raised out of Houghton, I do not see how you could do it without dismembering it, and how dangerous it is to depend first upon improvements and then upon sale you may know by Haselbiche, and in all the time you have had it, you have never been offered

twenty nobles an acre but by Mr. Heton, who afterwards went from his bargain. 2 pp. *The name of the intending purchaser is not mentioned, but the letter is endorsed by Sir Thomas, "Houghton project. My cousin Bawde. et intus, Rushton project. Item his letter to me for undertaking great payments for him." Also "Houghton, et intus pardon fees."*

Probably annexed, although not found with it.

Statement of the value of Sir T. Tresham's land &c. in Great Houghton, endorsed "1. Sir T. T. is now offered for all his said lands in Houghton 2,000 marks—1,333l. 6s. 8d. 2. And also a rent charge of 300l. yearly for ever."

With note that "S.B." is to make election of one of two bargains in the matter.

THOMAS TRESHAM TO SIR THOMAS TRESHAM.

1601[-2], January 7, Newton.—Reminding him that it is more than a year since the time appointed for the repayment of the money disbursed for his son [Francis]. Also that an old debt to the writer's father has never yet been paid. 1 p.

TO THE CONSTABLES OF BENEFIELD.

1601[-2], March 15.—Warrant to levy the rate for the provision of her Majesty's household, as assessed on Benefield, and to pay it to Thomas Maidwell gent., at Owndell; and requiring them to do it more speedily than heretofore. 1 p.

THOMAS TRESHAM TO SIR THOMAS TRESHAM, in London.

1602, November 23.—Stating that he is doing his best for the discovery of "these mote eaten people, from whose purloinings and filcheries" they can enjoy almost nothing in safety, and without continual watchings. Believes from what one Kelsho of Okeley [Ockley] has said that Bate may have been concerned in the stealing of Sir Thomas' horses, but is persuaded that "this young chapman (*tam nomine quam re*) . . . was not trusted with money or other affairs of such beaten soldiers than they had presently in action." Touching Rowell he can say nothing as yet, having only asked him some few questions, but hopes to write further by and by. Intends to return home from Pilton on Thursday or Friday. 1 p. *Seal of arms.*

HORSE-STEALING.

[1602, end of?]"—"Some points requisite to be interrogated by Mr. Mayor of Durrem to Conway and Simson," concerning the stealing of Sir Thomas Tressame's geldings from Brigstock, and the acquaintance of the prisoners with others suspected to be implicated, viz.: Nicholas Bates, William Stanley, Walter Skewington and Rafe Conway. 1 p.

THOMAS HILL to SIR THOMAS TRESHAM.

[1603? Newgate.]—"Jesus + Maria, Joseph, Joachim, Anna. Good Sir, give me leave to shew the latitude and extension of my love. If ever I had true charity depured from the dust of worldly vanity, it is now, out of which, I know not how, I have an incredible desire to behold the amiable countenances of all our worthy confessant Catholics, and especially of yourself who by the singular grace and assistance of God have opposed yourself in defence of that cause *tantum murum alienum contra cunctos adversæ dominationis*, of whom I may boldly say as of another Moyses, *si non stetisses in confractione contra violatores fidei Catholice, multi, non dicam cecidissent, sed non tam fortiter in Domino dimicassent*, and therefore as the face of holy Moyses after he had been conversant in the holy mountain with Almighty God became so illustrious and bright that the people could not behold it, so is the very exterior countenance of yourself and all the rest of our worthy confessant Catholics *ex contemplatione divinæ charitatis in cordibus vestris per spiritum Sanctum copiositer effuse*, most amiable and delightsome unto me. In regard whereof (as I said before) I have an incredible desire to see you all, too great a comfort (I confess) to be afforded us in this world, and therefore reserved as the last but not the least complement of our absolute felicity in the world to come where I trust to see you all face to face. In the meantime, if I go before you I will carry your token with me and being once secure of mine own salvation (which I hope my sweet Saviour Jesus will vouchsafe me with speed) I will be very solicitous of yours, and not only of yours, but for your sake (*charitas enim ordinata est*), of all those whom I shall understand to have any relation of consanguinity, kindred or alliance unto you as (thanks be to God) you have good store, and those right honourable, worshipful, famous and renowned, in whom through the participation of my love towards yourself I do co-rejoice with you very much. And even so (my good sir) I leave you humbly saluted, very heartily thanked, and in my unworthy prayers duly remembered. *Tuæ Dominationis humilis servus Thomas Hill, jam (cedat arrogantia) semi-martyr, orate ut Deus Optimus Maximus confirmet hoc quod operatus est in eo.*"

Postscript.—"St. Anthony the great upon his own experience used unto his brethren this speech. *Nolite timere, mihi credite, fratres, pertimescit Satanas piorum vigiliis, orationes, jejunia, voluntariam paupertatem, misericordiam et humilitatem, maxime vero ardentem amorem in Christum Dominum, ejus unico sanctissimæ crucis signo debilitatus aufugit.* In like manner, good Sir, I say unto you and the worthy suppliant Catholics of our realm (though thanks be to God they need no such exhortation of mine), *Nolite timere dissolutionem corporis quod D. Paulus tam ardentem concupivit, nolite timere, mihi credite, nihil est. Currite in odorem unguentorum martyrii, ibi enim gustabitis quam suavis sit Dominus gratia sua melliflua dulcorante amaritudinem crucis.*"

Underwritten by Sir Thomas Tresham: "This was by him

sent me the day of he then expecting to be executed the next day following forth of Newgate." *And on the wrapper* : "Mr. Hill's letter at the time he expected to have been the next day executed at Tyborne; then in Newgate prisoner condemned for being a priest."

SIR THOMAS TRESAME to [Dr. MATTHEW] BISHOP OF DURHAM.

[1603, January?].—I should have sent to your Lordship before, but was expecting a process for the removal of Conwaie [a horse-stealer] and also in regard that Mr. Phinnox had confidently promised to deliver my mare to you at Twelfth tide. "Humbly I desire you to pardon the addressment of former letters to the Mayor of Durham, which ought [to] have been to your Lordship. The misprision therein alonely was my not knowledge of your prerogative in that county, and reputing the Mayor town of Durham in [like] predicament with our Mayor town of Northampton, where the Bishop of this diocese hath not to intermeddle in the like." The removal of Conwaie I submit wholly to your Lordship. My cousin Tresame keepeth the original examinations and so has no need of the copies left with you.

By your Lordship's special friendship I have regained two of my horses and am hopeful for the third. "I would all or any of them were worthy your Lordship's use and that you pleased to dispose of them." The grey gelding I esteem not inferior in pace and proof to any that I have known, "were he soundly recovered of the harm mishapping him by the horse-stealers. . . . The trotting gray gelding would be a choice gelding among the Northumberland borderers, as appeared by the difficulty of my thence having him from among them." My servants have acquainted me with your friendly and loving proceedings, who, when the Mayor and afterwards the Dean of Durham could not induce the horse-stealers to confess, sent for them to yourself, and so discreetly managed the interrogating of them that they made ample confession. Moreover "your Lordship purposely did send one of your gentlemen with my servants far into Northumberland (in some parts whereof, pistols not seldom are more in request than process)" to engage your friends' help there, which brought the wished for success, and hath used my servants with magnificent entertainments, much beyond their worth or my deserts, in all which from none but you could I expect the like. *Copy. 1½ pp. (l. 9). Unsigned and not in Tresham's own hand, but with old endorsement* : "Sir Th. T. to the Lord B. of Durh." 1½ pp.

THE SAME to THE SAME.

[1602-3], January 15. Rushton.—I pray your lordship to accept my grateful acknowledgments and unfeigned thanks for your favours multiplied upon me, and "I instantly beseech that *voluntas* be reputed *pro facto*, when, by how much my ability herein is least answerable to my will, so much the more multiply in me devoted affection to your lordship, *voce et corde*, to effect which

in opere, adverse fortune despaireth me. Conceive me aright, my good lord. Palpably should I derogate from your lordship, and from his virtuous compliments (who, living, I revered, and, now, who deceased still liveth in my love) to persuade myself that these your abounding courtesies were so heaped on me in respect of myself. . . . I acknowledge them and greatly joy in beholding them to proceed from your never enough extolled affection wherewith you accompanied the late Bishop of Lincoln, that entirely loved you, and to whose love I rest interminably bounden. The fervour of your love extendeth not alonely to his children (a singular act of zealous love and Christian charity, to bring them up as your own, a second parent to them, fatherless and motherless) but likewise to his lovers, among whom myself, second to none in loving him." The simplicity of your love to him is shown by its fruits, "when you for his sake bestow bountiful favours on those that have need thereof and can afford you no other requital than by thanksgiving.

"Almighty God prosper you to his honour and glory, and grant that we, which were in our young years, of Christ Church in Oxford, may live in the Church of Christ and die his servants . . ." *Draft.* 1½ pp.

Addressed: "To the right honourable my very good lord, the Lord Bishop of Durham."

SIR THOMAS TRESAME to AUGUSTINE NICOLLS.

1602[-3], January 17. Rushton.—Stating that "by reason of a new false printed almanack" there is a mistake of a day in the dating of his licence to travel, which has, however, been sealed by the Bishop and two Justices of the peace; and praying to know whether it can be excepted against in point of law.

Underwritten, Mr. Nicolls' opinion that if the misdating "make no question" as to the time for travelling and returning, the licence is "warranted by the state," notwithstanding the mistake. 1 p. *Seal of arms.*

GEORGE LEVENS to his master, SIR THOMAS TRESHAM,
at Hogsden.

1602[-3], January 29. Rushton.—Mr. Dale the lawyer has been with Mr. Maydwell, and states that "with a wet finger he could show what lands were assarted of the King's in the forest of Rockingham," which might belike bestead Sir Thomas in his cause. [Information about work and workmen.] 1½ pp.

VERSES.*

[Temp. Elizabeth.]

1. Howe England maye be reformed.

England of late, menne saie is bankrupte growne
The effectes doe manieifest the cawse unknowne

* There are copies of Nos. 1 and 3 in Add. MSS. 10309 and 22601 at the British Museum, and of No. 2 in Harley MS. 367 (this last being in John Stow's handwriting), but in all three there are variants from the versions given here.

Riche treasowrs it hathe, and warie keepers
 Grave judges, counsellors, in gayne no sleepers.
 Collectors, auditors, receavers manie,
 Searchers and customers, and all for the pennye.
 As for the churche menne, they both praye and paie,
 Solvat ecclesia, so the courtiers saie.
 Might some newe officer amend old disorder?
 Yes. One good Stewarte will sett all in order.

2. Against flatteringe preachers.

Yowe that extoll the blisse of this our nation
 And loade our eares with stale and lothesome praise
 Of fortie yeares sweete peace and restfull daies,
 Which yowe advaunce with fayned admiration,
 Muche would yt suyte your highe vocation
 To beate downe that your flatteringe tongues did rayse
 And not to seeke suche meanes of commendacon
 For tymes aboundinge with abominacon.
 Tell us Godes wrathe against us is provoked,
 Tell us, it is to us the scripture sayes,
 Fortie yeares have I dured this generation,
 And sayd this people have not knowne my ways.
 Saye lawe with lust, and rule with rape is yoked
 And zeale with scisme and symonie is choked.†

3. Of a hangman.

When doome of death by judgement fore appoincted
 Strayninge the lawe beyonde all reache of reason
 Had unto death condemnde a Queene annoynted,
 And founde (oh straunge) without alleageance treason:
 That axe that should have done that execution
 Shunde to cutt of a head that had been crowned:
 The hangman loste his woonted resolution
 To kill a queene so noble, so renowned,
 Ah, was remorse in hangeman and in steele
 When peeres and judges no remorse could feelee?
 Graunte Lord that in this noble Ile a quene
 Without a head maye never more be seene.

PROCLAMATION OF JAMES I.

1603, March.—Memoranda by Sir Thomas Tresham, of his proclamation of King James I. at Northampton, March 25, 1603.

1. The incertainty of the Queen's death on Thursday the 24 of March, being Our Lady even.

2. Barber's meeting with Sir T. T. on Luton downs about 5 of the clock in the after noon.

† The Harley MS. has "clooked."

3. Sir T. T. then sending him indelayedly with all speed to St. Albans, and why?

4. What he returned thence and at what time in the night?

5. Sir T. T. greatly perplexed that none of his sons, else his servant Morrys Hilkton, did not come that night to Luton, as Sir T. had some few days [before] peremptorily in that behalf directed, and therefore stood very doubtful whether the queen was dead or no; and that the rather for that he was purposedly sent unto some five days before that she was undoubtedly dead, which then proved not so. Consequently the proclaiming of the King, had not she been dead, had been high treason in Sir T.

1. Sir T. T. had a special watch of six or eight watchmen that watched his inn door at Luton and so set by the direction of the pursuivant, who doubted that the queen was dead; therefore misdoubted that Sir T. T. would not obey the Lords' warrant.

2. With what difficulty and often repulses Sir T. obtained means to escape thence; his guide and why got to serve that turn. A very dark and rainy night. How he left the pursuivant.

3. At what time got to Dunstable and why thither? viz., post-horses, &c.

4. How there by show of the Lords of the Council's letter, &c., got post-horses, else not, and then in what desperate predicament he had been in, to [have] escaped from the pursuivant, especially at that time, &c.

5. What order taken with the host at Dunstable, as not to permit the guide return to Luton until after 8 of the clock in the morning to avoid hue and cry from direct following of Sir T.

(Mem.: Sir T. forewarning his servants left at Luton to expect searching and carrying before some justice of peace but rather before the Lord of Kent, Lieutenant of that county. Then what writings Sir T. left with the page of his chamber to deliver to the pursuivant so soon as the pursuivant should ask of his said page for his master, Sir T. T.)

The hue and cry in most odious and infamous wise raised to pursue Sir T., in what woeful plight the postmaster and inn-keeper at Dunstable was in.

From Dunstable.

1. Sir T. how he proclaimed the King to all travellers &c. as he did overtake.

2. How between Stratford and Northampton what number of companies he did meet coming fromward the fair at Northampton.

3. His demands and enquiries made to them. Their answers for Belgrave overnight and for Mr. Shelston in the morning at Northampton &c. and when and how used by the inhabitants of Northampton.

4. How he proclaimed the King to them all, and what some of the last companies which he did meet with towards Northampton

forewarned him of the imminent danger he shall into, if he intended to proclaim the King. Sir T. T. resolute answer thereto &c.

5. Their foretelling him of his not possibly getting into the town of Northampton and why.

6. Of the great tumults which there was, and all the night had been ; and still so increased as no fair to be then there kept, and of every one so hasty getting out of Northampton town that thither came then to the fair.

Between 8 and 9 of the clock on Friday morning (being Our Lady day) Sir T. T. came into the suburbs of Northampton at the south gate. The same how guarded and kept. Partisans and halbardiers.

The post boy how threatened &c. Sir T. T. confident reproving them therein. Sir George Farmer's house which is hard at the said gate but without the gate.

His lady's coming out at the post boy's blowing of his horn. Sir T. alighted and saluted her. He acquainted her with his intendment to proclaim the King. She joyed thereat and upon irresistible entreaty she obtained of Sir T. to see her husband (then sick of the gout) and many other of Sir T. kinsmen and countrymen assembled for appeasing the tumult in Northampton. Sir T. made no stay, but hasted to effect the service which he came for.

He got off his horse and so approached to the gate, and there publicly proclaimed the King, whereat was no applause of the guarders of that gate, or of the standers by.

Sir T. being, as aforesaid, foretold that he should not by any means get into the town, did in his proclaiming the King, deliver also to them that he had further matter of very serious importance to impart to them and which he well knew would greatly glad them, all which they should hear delivered them by their Mayor^a of Northampton, as which will be thereby the more acceptable to them, and therefore commanded some of the warders there to conduct him to the Mayor's house.

(This course Sir T. purposely did use as whereby to get entrance into the town of Northampton, being so strongly guarded and Sir T. so forwarned, as aforementioned, that he should not by any means get into the town.)

The warder refused to let him pass in unless he would alight from his horse, and go on foot to the Mayor.

Sir T. T. asked of them how lately that ceremony was grown up in Northampton and whether they would have their [Mayor] accounted for an idol, that none might [have] access to him but on foot. And further told them that as he well knew the inhabitants of that town did not allow of pilgrimage, so would not he acknowledge the Mayor for an idol, and so pressed on the warders to have passed in at that gate.

Therewith being denied by them all, one stepped forwarder than the residue of the warders, and did bend his partisan on Sir T., shaking the same at him, and swearing a terrible oath,

* Edward Mercer.

menaced Sir T. for not so entering a horseback into the town. But Sir T. maintaining his attempt pressed in with his horse among the halbardiers and dared any of them to withstand [him] in that service of the King, which if they did or dared to do he would denounce him whosoever for a traitor, likewise all others that therein should take part to withstand Sir T. in that service of the King, whereby he passed in that gate.

How Sir T. and his servant was held and barbarously conducted through the town to the Mayor's house. How Sir T. called to the post boy to blow his horn and why? How the barbarous multitude cried down with them all three.

How by that blowing of the post-boy, what multitudes of people came to the blowing thereof. There did Sir T. proclaim him twice, not knowing how the Mayor and his townsmen would use Sir T. or not permit Sir T. to proclaim the King, being forewarned how Mr. Belgrave over night and late within night was beaten down and put in great peril of his life and put into custody for only by way of news telling to the watchmen that the King was proclaimed, yet Mr. Belgrave well known to them for an earnest protestant. Likewise Mr. Shelston that morning for doing the like, yet so known to them as Mr. Belgrave was.

Sir T. entreated that barbarous multitude to permit in their safe custody his servant to go to his tenant of the Bell (the principal inn in that town) to procure two horses for Sir T. and his servant, for Sir T. intended not to have stayed there above some half hour and so to have gone to Kettering, ten miles distant from Northampton, and then market day at Kettering. By no entreaty they would permit him, nor suffer him to come unto his master, but kept asunder &c.

How brought to the Mayor's house. How there he set. How Sir T. T.'s servant kept. How near to the Bell inn, yet would not be permitted, &c.

The Mayor would not come down to Sir T. though he came on this serious service for the King. Twice did Sir T. send up to him to call him down, but would not, and wishing Sir T. to come up to him, whereat Sir T. much marvelling and mis-doubting some complotment by the Mayor, he then told the people that since he found not Mr. Mayor so forward in that service as behoved him, and where[as] he Sir T. T. at the town gate in his there proclaiming the King [had told them] that he had further matter to impart to them which the Mayor should deliver to them, that alonely was that if the Mayor would proclaim the King he would assist the Mayor therein, if otherwise, then would he, Sir T., proclaim the King at the market cross, and then if the Mayor or any else whosoever would withstand him (Sir T. T.) in that service, that he would arrest them for traitors, wherein he excepted none.

While Sir T. was thus delivering to the multitude (above five hundred persons) what his intendment in that service was, the Mayor then came running down his stairs unto Sir T. T. and took him by the arm in hasty guise, pulling him away into his

house, requiring Sir T. to forbear delivering of speeches to the people, and so desired Sir T. to go up with him into his chamber above.

Sir T. answered that his journey undertaken was to the people there and but of courtesy to the Mayor, therefore [he] would complete his speeches to the people, and that his service was no secret chamber work, but to be done in public at the market cross, therefore [he] would not go up with him into his chamber.

Sir T. T., discovering the frowardness there in not proclaiming the King, did forecast not to be overtaken by a paltry "fygg seller" and to have the same trick turned on him which he the same morning had done to the pursuivant at Luton by shutting him up into his chamber &c.

Yet after, upon earnest entreaty of the Mayor and withal making known to him that Sir Robert Spencer and many other of Sir T. T.'s worshipful good friends and kinsmen were above in the chamber and desired Sir T. to come up among them (which Sir T. knowing otherwise to be very true), accordingly so did; yet not without some marvelling that they being there, that none of them in so important a service did not come down to him, which to discover what that should be, yielded thereto.

When Sir T. came up into the chamber he found [it] full fraught and many gentlemen whom he knew not. Then (having first saluted them) [he] proclaimed the King in the presence of them all and when Sir T. said 'let us pray to God to prosper him, &c.,' one who stood next Sir T. behind him said, 'let us pray that the King prove sound in religion.'

Though that speech seemed to Sir T. distasteful and untimed, yet he slipped it over without excepting thereat, and so continued his speech touching the King's right to the crown of England, as of the manifold and apparent benefits (particularising many of them), which would ensue to this realm by that union of Scotland and England; and so in the end thereof said that we had very great cause to praise God for it &c. The same spleenish and peevish party, when Sir T. ended his speech as aforesaid, and wished all true English subjects to acknowledge him for their rightful King, he again carped out, saying 'so as the king prove sound in religion.'

Sir T. not conceiving it fit to let it so ingeminated to pass unreproved, turning himself unto that party, saying, *quasi diceres* (as though you would say) if the king be not of your religion that then you owe him not duty and loyalty.

For confirmation of that reproof, Sir T. avouched express witnesses forth of the precepts of the apostles that we should give to Cæsar what was due to Cæsar, and did not only so teach but themselves gave ensamples thereof by their civil obedience to pagan and bloody persecuting emperors, under whom they lived. Therefore, said Sir T., though you differ in religion from the King, yet in so much as he is a professor of the Christian religion, you upon a far stronger argument are bound to obey him as your King in civil loyalty and obedience. And so concluded this to be a much stronger argument to convince him

than it was to the apostles in their civil obedience to pagan persecuting emperors.

He replied that he must needs acknowledge that argument to be *argumentum a fortiori* (a more binding argument) but withal said: Sir T[homas], what if the pope would excommunicate the King? Here Sir T. interrupted him and suffered him [not] to proceed in that objection, and took [him] by the shoulder and asked him what factious companion he was who first used such dubitative speeches of the King and now would enter into dispute about the pope, when no speech at all was of the pope or tending to the pope, and where that he, Sir T., was come about a thing that he would factiously mis-spend time in causeless disputation, and where the tumult in that town required speedy appeasing, that he would further kindle them in their furies. Then Sir T. (thinking that this man had been one of the justices of peace of that shire) wished the justices of peace to command him to silence, else he would put him to silence and turn him down the stairs. Wherewith he rested without after using any speech to Sir T. or in his hearing whatsoever. He is the preacher of that town. His name is Cattelyne,* a factious fellow.

Sir T. then said to the Mayor and to such as had been justices of peace, that he came for proclaiming the King, which he had both without the town and in sundry places within the town proclaimed the King, yet thought it very requisite to have it formally done at the market cross in the presence of the Mayor and of us all, and that he was so far from ostentation or gaining of glory thereby, that he would willingly give the pre-eminence therein to any of them: it being his care to see that duty performed, else he himself would again do it.

Sir T., being the ancientest knight by much in that company offered it to the Mayor, which to do he refused. Then said Sir T.: Will you withstand me in that service? He answered no. Quoth Sir T.: Whosoever shall withstand me in that service, I will arrest him for a traitor. Then did Sir T. offer that pre-eminence to Sir Robert Spencer or any of the justices of peace, to avoid all suspecting of Sir T. seeking the glory thereof.

Sir Robert Spencer (armed with gorget and gauntlers) said as in the behalf of all the rest there, that they thought it very requisite to stay some four and twenty hours, to know the truth, and that within that time or little more they might send up to the Lords.

Sir T. was so opposite to this motion that he said it should be forthwith done, and that both the title obscured by former laws and the many reputed pretenders to the title of the crown, and also the tumultuous present state of Northampton required to have [it] indelayedly done. And further urged that where the inhabitants of Northampton had been in that tumultuous wise all that night past and that forenoon, and if that they should so continue four and twenty hours longer, and that in this time of spreading of rumours, it may apt (*sic*) some pretenders to give out that Northampton town and all the chief gentlemen there do

* Vicar of All Saints, Northampton.

stand against the King, &c., whereby great calamity may ensue and we justly bear the blame thereof, which, said Sir T. that he in no wise would admit of.

Then Sir Robert Spencer motioned to have it stay until after dinner, whereto Sir T. answered that this service was fitter to be done fasting than after feasting. *Imperfect.* 11 narrow pages.

SIR THOMAS TRESAME TO HIS SERVANTS.

[1603, end of March?]*—Desires that Hilkton, Siser and William Vavasor will be “here at the Lord Mountegle’s lodging” by six o’clock next morning, as Sir Thomas has to be before the Lords at Whitehall before nine, and that they will bring him boots and other articles of apparel, including a suit if they have one (which he thinks they have not), as the one wherein he posted up is “exceedingly moyled and soyled.” Vavasor is to bring with him Sir Robert Cecil’s letter, and Syser is to come by Mr. Shellston’s to see if he be returned from Northampton fair (where Sir Thomas had speech with him of his barbarous abusage there) and if so, to desire him to come and speak with him before nine next morning concerning himself.* 1 p.

M. HILTON to his master, SIR THOMAS TRESHAM, at Rushton.

[1603,] April 29. Hodgden.—“Sir, your sheep was at Whetston on Tuesday night, the day before I came . . . so we thought to try the Friday market with 20 of the lesser sort and lowest fell. I asking for them but 35*s.* apiece there was a uproar, and said that your sheep hath done much wrong in the commonwealth, with a many other speeches. I answered if that they had not learned us to sell we should never a understood the prices of so much. I could no (*sic*) sell not for above 28*s.* apiece, but I stood, and would a sold for 32*s.* if I could or less. So I sold but two and I sold them to a poor foreigner for 35*s.* and some four days of payment. I thought good to acquaint you, and they did speak of your sheep that was at Northampton and as yet there is not any shorn sheep that cometh to Smythfeld.” I pray you let me hear by the Oundle carrier if you come not up this next week, for I will stand with the butchers, though it is somewhat more chargeable. I will try Wednesday market with a score “and by that time the King will be at London.”^{*} My old master† is here and hath written unto you, and he is much changed in his speech, for his tongue is as lipping in the French tongue, and he is so kind that he will not let us by his will to stand bare unto him, for he saith no French fashion, neither doth Francis stand bare to him.” Mr. Right and Mr. Adames and Mr. Robinese and two more priests are to be banished presently, I think this last of April. Mr. Right was to go this Friday to the clerk of the Council but Mr. Gane doth not go. 1 p.

^{*} King James reached London on Tuesday, May 3.

[†] William Tresham.

THE ENGLISH CATHOLICS to KING JAMES I.

[1603, April ?]—"Most mighty prince and our true and undoubted sovereign, we your Majesty's catholic and faithful subjects humbly on our knees do beseech your Highness to give us leave to present you with these few lines as the true messengers of the faithful and zealous duty which we do bear to your Majesty, it being our best means how to signify the same.

"We are the rather constrained hereunto lest our loyal and faithful hearts now and evermore borne to your Majesty's title to this Imperial Crown might be calumniated by sinister informations, which our loyal dutiful affection we have shewed in our forwardness of proclaiming your Majesty as the lawful and rightful king of the realms of England, Scotland, France and Ireland, to the great joy and comfort of all us your faithful catholic subjects, which our loyalty we would also have at this time as willingly manifested in our persons (if we were not by the late made laws restrained) as any other of your Majesty's loving subjects. The great hope which we have conceived of your princely lenity and benign nature doth in a manner assure us, that your Majesty coming to this Imperial Crown will give happy end to our miseries and troubles. Our humble petition to your Majesty is that you would have that opinion of us as of others your Majesty's good subjects, who are and ever will be ready to spend the best blood in our bodies for your Majesty's service. And so, prostrate at the feet of your Majesty, we most humbly beseech the same to pardon this our boldness in adventuring to address these few lines to your Highness, and benignly to accept them as a declaration of our zeal and duty until further time and better opportunity serve us to manifest the same in more ample manner. Almighty God be he that bless and preserve your Majesty to our inestimable joy and your endless felicity." $\frac{1}{2}$ p.

SIR THOMAS TRESAME to LORD HENRY HOWARD.

1603, July 16. Rushton.—"Your lordship's memorable loving lines to me are most welcome. This time of pestilent infection hath bereaved me of wonted course in sooner performing this my due to you. Therefore have I herein stayed some few days to send by him who brought me yours. As I acknowledge myself greatly obliged to you for the friendly contents of that your letter, even so do I for the honourable favours which you vouchsafe my brother (the bearer hereof), evermore devotedly yours. *Quid retribuam* &c. Thanks I can render. My now completed triple prenticeship of one and twenty years in direst adversity denieth me of other means than thanks towards acquittal of any portion of the infinite due, where I rest more than statutely bounden to your honour. Thanks, as they are facilest payment, so are they supremest compensation where sincerely effected. What expecteth the Omnipotent giver for His innumerable gifts and unspeakable mercies bestowed on us? Thankfulness. Were I freed from thrall, I would offer your Lordship also my poor

service. But if I must again serve a like long apprenticeship to prevent the forgoing of my beloved, beautiful and graceful Rachel (*videbantur illi pauci dies præ amoris magnitudine*) then only expect from me prayers, and indelible registered thankfulness. Th'one shall accompany me to my grave. In th'other I will not fail to have you (my dear beloved lord) in zealous remembrance, when I forget not to beseech God for myself, a wretched sinner: who deliver us from the godless crew of the Puritan rakehells, multipliers of damnable drifts.

“Perfectest bodies have their imperfections. *Quotidie agregatur aliquid quod quandoque indiget curatione*. If any such menstruous or rather monstrous filthiness hath proceeded from any challenging himself or themselves for a Catholic or Catholics of England, let him or them be *anathema* among us. For *talem consuetudinem* we detest. And that for my part, do so detest and abhor that not only I wish them chastised above the lewdness of their miscreant intendments and that far above ‘treacheroustest’ Puritan or Anabaptist whosoever in like predicament of malignity and monstrosity; yea I protest and before God do protest it, that rather than such caitiffs should escape for want of an executioner, I would supply the ‘burreaw’ his office, which otherwise no worldly gain should hire me unto. Among the twelve disciples there was a cursed Judas, therefore may be, in this climate of Atheism and wickedness, that forth of multitude of thousands, Catholics and Catholicly affected, that some may betake them to sinful loathsome steps. In matters questionable propounded, I evermore doubt on the behalf of our King and country, as to the safety of whom is evermore the object of my eye. Nevertheless I have so long time been experimented in the cursed ‘Machivelian’ projects visored in former times on us in ugliest wise, that I partly (under correction of my superiors be it said) do suspect *Latet anguis in herba*; an Atheistical Anthonie Babington’s complotment. Truth is the daughter of time. I wish the guilty their due chastisement and the guiltless not to be wronged in their honours, which *inter bona fortuna*, are *summa bona*. In all well-governed Christian Commonwealths, better it is that many guilty should escape than to put an innocent to death; innocent blood being the first of the four which principally *clamat* to God for revenge.

“Lately was divulged a provident proclamation by our King to keep his subjects from infection by adjourning in some sort this last term. But now in the latter end of the same term, and that when the infection is so very greatly increased, is sent forth of the Chancery special process for calling up all men that can dispend forty pounds revenues in fee simple or for term of life, to be knights. It not only doth manifestly oppose the former provision, but moreover begetteth such distasteful and contemptuous censures that I forbear to commit to writing, referring the same to the particular relation of this bearer, my brother, who is fully informed therein. So irregular and scandalous it seemeth as it is here proceeded with, that if the like be in all other

shires of this realm, it will be a world's wonder, especially in the beginning of the King's reign, and designed to be at the instant of his coronation. I cannot esteem less than some four hundred at the least in this shire is to appear upon this knighting process; whereof some landless, many base and dosser headed clowns, and not one among forty worthy of that degree.

"The loyalty which I duly owe to his Majesty, the reverent respect which I have of the Lords of his Privy Council, and my especial affecting your lordship, will not permit me to let the same pass unrelated to you, which loatheth my ears to hear the sinister incensements thereof, and which haply your lordship shall not hear until *sero medecina paratur*. My good lord, pardon my lines, not altogether unnecessarily enlarged. Almighty God preserve our King and his princely posterity to reign happily over us, and make you partaker of what your lordship's virtues meriteth and enable me to witness by action my true English heart to the King and this commonwealth, and my affection to your lordship, second to none in faithfullest well-wishing your honour." *The concluding words only in Tresham's hand. 1½ pp. Copy. Also a draft of the same.*

Addressed: "To the right honorable my singulare good lorde, the Lorde Henrie Haward one of his Majesties most honorable Privie Councell these geve. At the Courte."

FERDINAND BAUD to his kinsman, SIR THOMAS TRESHAM,
at Rushton.

1603, August 13. Thorpe.—Has received the enclosed letter and book for [? from] Mr. Pulton the lawyer, and according to his desire, (having read it), sends it to Sir Thomas. "The gentleman is both wise and zealous in furthering the good of the common cause." Hopes to go to Rushton next day. $\frac{1}{3}$ p.

Underwritten: Notes by Sir Thomas, relating to Henry VII., Edward VI., and Queen Mary. 1 p.

SIR JOHN STANHOPE to SIR THOMAS TRESHAM.

[1603.] September 20. Woodstocke.—"I thank you for your kind letter and for your pains, and shall be ready to follow your advice. If Mr. Francis Tresham, your son, had come to me, he should have found I would have used him as kindly as I could; but I saw him not. Because of the King's remove, I have committed my purpose in the buying of Ardyngewourthe to Jenyns my servant, for whom I must thank you; and I pray you be assured of me in any thing I can pleasure you." $\frac{3}{4}$ page. *The year is given only in Tresham's endorsement.*

SIR THOMAS TRESAME to FRANCIS TRESAME.

1603, October 6, Thursday.—A long letter, reproaching him with neglecting his business, and especially complaining of his omission to obtain a certain lease from the King, upon which "comfortable news," Sir Thomas' tenants, who had resolved to

acknowledge having wronged him "and to have laid all the blame on the minister, and so to have exhibited the same to the King," have now altered their minds. Mentions a meeting "next Friday," with Sir Edward Montagu. *Draft, 4½ pp.*

TENANTS OF ORTON.

1603, October 13. Rothwell.—Statement by Sir Thomas Tresham of what passed in Rowell [Rothwell] Church on Thursday, October 13, 1603, in the presence of many worshipful neighbours and others of honest and good account, viz. :—

Whereas the inhabitants of Orton (tenants to Sir Thomas Tresame as lessee under his Majesty) exhibited a complaint to the King in the beginning of July last at Wyndsore and therein prayed authority for examining the grievances charged upon Sir Thomas, which they obtained as testified by Sir Roger Wylbram (one of his Majesty's Masters of Requests) bearing date July 8; viz. : Sir Thomas to yield satisfaction to the complainants or show cause to the contrary; and whereas the said complainants kept secret all this from Sir Thomas, intending, as themselves have testified, to proceed no further therein, it fortuned that about Bartholomew tide Sir Thomas had intelligence from the Court that such a complaint had been exhibited, and having now repaired to Orton and called before him those tenants who were principallest in that complotment, he has demanded what course they meant to take, whereto they have absolutely answered that they would proceed no further. *1 sheet. Probably enclosed in Sir Thomas' letter of October 22.*

Endorsed : "Reprehensive letters to Mr. F. T. from his father, Sir T. T."

SIR THOMAS TRESAME to [THOMAS TRESHAM?]

1603, October 22. Rushton.—"I have been so delayed by the peevish and paltry proceedings of my Orton tenants that I have been stayed in sending to you concerning the dissension between me and my cousin, Sir Edward Montegew. My reputation has been scandalized to his Majesty by false calumniations of my tenants in their petition, and I have therefore put down what passed at Rowell on Thursday sennight in presence of yourself and others, praying you to enter your testimony as divers already have done. . . . I came resolutely inclined to make neighbourly end with Sir Edward Montegew, little accounting of the trifling sum of money in question betwixt us in regard of the good neighbourhood. . . . I therefore omitted to insist upon or so much as to mention that ground assarted, being the king's waste in his forest, ought not to pay tythe. . . . Far was it from my thoughts that my insisting upon the equity of my composition with his father . . . and in somewhat urging that I expected not to be worse dealt with by him than his father afforded to merest strangers that from year to year bargained with him for the tythe hay, selling it to them who would give most for it, I say it was far from my thoughts and expectation that it should beget so thwart success." He menaced suit in law, to which I said that he would

gain little credit thereby. "Sir Edward replied that his credit should be as good as any man's. Thereto I only answered that I did not so think. Again he charged upon me that he would with as good credit prosecute that suit against me as I with my credit should defend it. My reply was that it was questionable, and that my credit should be always as good as his; wherewith he in offensive wise departed." Less I could not have said without wronging my own credit, but I protest that I was not quarrelsomely bent against him, and was very careful not to give the least distaste to the company then present. I meant not to call in question Sir Edward's honesty, and as to the word credit, "credit in usual speech is accounted estimation, authority, or favour of the time . . . If in foreign prince's court should be demanded who is of most credit in court, thereby is not intended who is the honestest man in court, but who hath most credit with the prince. And if of late time one should have enquired who had best credit with Manwhood (chief Baron of the Exchequer), it would readily then have been answered, his servant Lucas, surnamed by the Queen Lucrum and commonly, in derision of his master, so called. Like master, like man, and haply little honesty in the master, as common fame censured. . . . I truly might, but respectively forebore to put him in mind that his father and his grandfather were beholding to my grandfather in the beginning of Queen Mary's time [more] than I (I hope) shall be to him or his; his grandfather being a principal actor in King Edward's time for disinheriting the Queen Mary,* Queen Elizabeth and the Scottish title to the crown of England (and was in the Tower for the same), my said grandfather, the late Lord of Saint Johns Jerusalem, obtained of Queen Mary his dismissal thence in favourablest terms and specially commended to her Majesty his son (this Sir Edward Montegew's father) for his readiness in serviceable affection to Queen Mary in the charge of this shire, then conducted by my grandfather on the behalf of Queen Mary, against the then proclaimed and invested Queen Jane. Lastly, where the next morning you imparted to me that Sir Edward was desirous of continuance of neighbourly amity between us, I very willingly accept thereof, moreover that he offereth to stand to your censure for the tythe in question, which I also submit to you, and so would were it for the worth of my manor of Lyffiden. . . . I freely offer to pay what you shall think fitting, yea what himself shall therein think fitting. It is not the money demanded which I so observe as the manner in urging thereof."

And so I commend myself "to your wonted friendly opinion, the continuance whereof your own worth and kinsmanly offices afforded me obligeth me to wish and endeavour." *Draft, 4 pp.*

QUEEN ELIZABETH and her CATHOLIC SUBJECTS.

[1603 ?]—"Forth of many strong arguments which 'facily' and readily may be projected, why Queen Elizabeth better might

* See Hist. MSS. Commissioners' Report on the MSS. of Lord Montagu of Beaulieu, p. 4.

make laws against the Catholics than for his Majesty to continue them, some few but very pregnant reasons are thence briefly deduced as followeth," viz.:—

Unlawfulness of Marriage with Anne Bullen.—1. Queen Elizabeth was born in the life time of Queen Katherine, first wife to Henry VIII, he having been married to her some twenty years and had many children by her, both sons and daughters, living long time in great love and concord, until Henry VIII became enamoured of Ann Bullen, mother to Queen Elizabeth.

2. This marriage with Ann Bullen was upon long deliberation and process censured and sentenced by the popes to be unlawful, and the marriage with his first wife to be absolute, good and lawful.

3. And this sentence was given notwithstanding the great enmity between the Pope and Charles the emperor (nephew to Queen Katherine) who had sacked 'Roome' and taken the Pope prisoner, whom to free, Henry VIII was the principalest means, and disbursed 300,000*l.* to wage soldiers against the Emperor.

4. The marriage with Ann Bullen being in 26 Hen. VIII, she being great with child before that marriage was publicly known, and shortly after delivered of her daughter (Queen Elizabeth), she procured an act to be made in 27 Henry VIII to disinherit and bastardize his daughter (Queen Mary), and caused all magistrates and subjects to swear thereto on pain of treason; yet in the following year the same was repealed and the marriage with Ann Bullen sentenced unlawful by the confession of herself to Cranmer, archbishop of Canterbury (her special friend and godfather to her daughter), and by the same act Ann Bullen was sentenced to be 'headed' for adultery with many and especially with her own brother Lord Rocheforde (who with divers others was executed for the same); her daughter was bastardized, and all subjects were discharged by their oaths taken by force of the earlier statute, "and moreover, freely pardoned of any conspiracy for killing, murdering &c. intended against the said Ann Bullen or her daughter (*Vide the Act*)."

5. Not only her father and the Catholics "so censured notorious bastardy in her," but also her brother King Edward and all the then protestants in the realm (though she herself then a protestant) and so preferred Queen Jane (Henry VIII's youngest sister's daughter), before his daughter, the Lady Elizabeth, who was so disabled in right (though otherwise of many excellent parts) that it was odiously imputed against Admiral Semer (brother to the Protector) that he plotted to have married her.

How Lady Elizabeth was enabled to the crown.—1. Her father, some few years before his death, and then hopeless of having any more children, did enable her by act of parliament to be heir to the crown, if her brother and sister should die without issue, although the act did not legitimatize her.

2. In 1 Eliz. she by parliament was enabled to be righteous heir to the crown.

Sundry of her jealousies and crown fears hence arising.—*Common Law.*—It is a maxim of the common law of this realm that *droit ne peut pas mourir*, much less then a crown right. Thus when a prince dies there is no interregnum, but immediately the right of the crown is in his heir, as was sentenced by the great arraignment at Wynchester, when the judges, sitting as commissioners, declared it treason to maintain the contrary. Therefore crowning addeth no right but is only a public witnessing and manifesting thereof.

Statute Law.—1. An Act of Parliament consisteth of the king's consent and of the consent of the upper and lower houses, wherein the king hath his negative voice. "It then groweth questionable whether the consent of a king *in facto* and not *de jure* shall ratify any act of parliament against him who *de jure* ought to be king."

2. "When the long time of troubles were between the houses of Lancaster and York, and crown rights limited by many acts of parliament, *pro et contra*, yet never firmly settled until the questionable rights of both were united and conjoined in one."

3. The crown right of Richard III, established by his own acts of parliament, was rejected by his successor, "preferring his and his wife's right before any acts of parliament obtained by Richard III."

4. And Edward VI. reversed the act by which his father enabled the Lady Elizabeth to stand as one of his heirs, and limited the crown to his father's youngest sister's daughter, Queen Jane.

4. Queen Mary, "answerable to the due of her crown birth-right" was admitted to the crown, notwithstanding her brother's act of parliament disheriting her; also she reversed that act, which "redounded semblably beneficial to the Lady Elizabeth, after her decease."

Right and potency of the Pretender.—1. "If bastardy and crown right disability were in Queen Elizabeth, then without all exception or question, no sooner was Queen Mary deceased than *in ipso instanto* was the crown right of this monarchy in his Majesty's mother of most blessed memory, as daughter and heir of the eldest daughter of Henry VII, and then she married to the dauphin of France, son of that potent and martial monarch Henry the French king, and shortly after was (by his death) Queen of France.

2. "She was a zealous Catholic, so was her son, so was France, Scotland and England. The two ancient enemy crowns to this realm were now joined in one," and the French king by this marriage quartered the arms of England, declaring thereby her right to the crown of England, although Queen Elizabeth was *de facto* crowned queen.

3. "The richness and wealth of France far exceeding that of England. The power and forces of England far inferior to that of France and Scotland.

4. "The conveniency of France to attempt England by sea, and the apt overture of Scotland to give armies entrances into England, with great safety and backing.

5. "The thus uniting of Scotland and England to France once obtained, readied the way to that brave martial minded prince to be monarch of Europe, a matchless bait for so high and ambitious a spirit, therefore not to be 'foreslowed.'

The Pope.—"Should Queen Elizabeth remain a Catholic, apparent inconveniences might grow to her possessing the crown, both from the Pope and her own subjects, for it being judicially called into question before the Pope touching her right and his Majesty's mother's right, very probable in all likelihood were it that the Pope would sentence against Queen Elizabeth, to concur in sentence and censure with other popes, his predecessors, being so formally and authentically proceeded in formerly.

2. The French king much more interested in the cardinals at Rome and with better means to obtain their favour than Queen Elizabeth had.

3. She apparently suspected and detected in Queen Mary's time to be protestantly affected.

4. Her mother, the bane of that virtuous and religious Queen, Katherine, the ruin of many pious, worthy and famous men who favoured not that unlawful marriage, the first giver of entrance to the protestant religion, and the principal cause of her husband's dissolving of religious houses and slaughtering multitudes of religious people, as not favouring her marriage with Henry VIII, in the life-time of his first wife.

5. Whereas, some years before, Henry VIII had written a very learned treatise against Luther in defence of the Pope and of the Catholic religion, whereupon the Pope gave him the title of *defensor fidei*, she (Ann Bullen) did set her husband in highest enmity against the Pope, she foreseeing that "no trusting of her crown right was by her to be left to the Pope's balancing thereof."

Subjects.—1. The whole clergy (and never in this realm a worthier or more learned clergy) and all the magistrates left by Queen Mary at her death, being firm catholics, and so in effect the greatest part else of this realm, Queen Elizabeth "might groundedly doubt that upon censure given by the pope against her with the then French Queen (his Majesty's blessed mother)" that her catholic subjects would have yielded thereto, and if it came to be decided by battle, that they, seeing the apparent right to be against her, would leave her and so avoid the bloody event and uncertain success thereof, the odds in which would be much against her.

2. As her catholic subjects had never allowed of that unlawful marriage, so was there no comparison between Queen Katherine and Ann Bullen, the one being daughter of two most worthy princes (Ferdinando and Isabel, King and Queen of Castile); aunt of the Emperor, and a most pious and virtuous Queen, the other, of base parentage, of bad fame before her marriage, and after executed for adultery.

3. Ann Bullen not only caused the divorce of Queen Katherine but the disinheriting and bastardizing of her daughter Queen Mary, "no less generally beloved and pitied than was her mother,"

and who would have been put to death by her father had not some of principallest counsel with him begged and beseeched for her. (*Vide* Fox, who attributes her delivery to Archbishop Cranmer, whose advancement only came from his being chief agent in the divorce, &c.; this being brought in by Fox to tax Queen Mary with ingratitude, that the archbishop was burned for an heretic in her reign.)

4. "The alteration of religion, the dissolution of monasteries and religious houses, the bloody execution of those two famous worthies of England (whose renowned memories is eternified throughout the Christian world), Sir Thomas More, Chancellor of England, and Cardinal Fysshier; the like of very many religious, pious and learned clergymen; the turning out of multitudes of religious people forth of monasteries, the also bloody executions of many of the nobility and gentry of this land and great numbers of commonalty . . . did beget a settled hatred of them against her (Ann Bullen) and hers . . . whereto add the strange and bloody innovated laws against the subjects, principally against the resolute Catholics, in cause of supremacy; and in causing them, for saving of their goods, lands and lives, to be wilfully perjured in taking oath against the lawfulness of the marriage of Queen Katherine, and legitimation of her daughter princess Mary, did beget in them such distastefulness against Queen Elizabeth as duly might she greatly doubt what affection her said Catholic subjects did bear to her."

"Lastly, the Queen of Scots, ever firmly settled in the Catholic religion, a most virtuous and worthy prince, and so adorned with gifts of nature and fortune as none comparable to her, and withal the undoubted, righteous heir to Henry VII, and consequently to the crown of this realm if Queen Elizabeth was born in unlawful matrimony; and on the other hand the Lady Elizabeth, if she should declare herself Catholic, yet no comparison to be had between them, but that the Catholics of this realm would much sooner make election of the Queen of Scots than of the Lady Elizabeth in manifold very principal respects, principally in the thereby happy uniting of these two realms." 5½ pp.

FRANCIS TRESAME to SIR THOMAS TRESAME.

[1603 ?]—Mr. Collwell desires to stay in some part of Hogesdon house until Easter. "I told him how far I knew your promise was passed to my Lord Mountegle for my sister," but he promises to depart, if there is cause, at a week's warning. Then I told him how careful you were of your grafts, which might take hurt by his children, but he offered warranties for that. My cousin Bawde and I are concluded for Orton, if it may have your allowance. I am to join with him in expelling Rilton, for his knaveries, Dawnie, who is little behind with him in that matter, and Warde. The rest of the tenants are to stay. He is to have the upper part of Rowell wood, so pray stay the wood sale there and I will allow my mother as much as she could make of it. He is not to have any part of your land in Orton. 1 p.

Parentage of MARY RECALDE, Lewis Tresham's Wife.

[1603 or 1604?]-1. MARTINO PERES DE RECALDE, Viceroy of the West Indies, died leaving two sons, viz. ALONSO and SANSUE.

2. ALONSO married MARY the daughter of one KIRTON, an English merchant in Spain, the which Mary was born in Spain and her mother a Spaniard: her mother's name was MARIA MARTINA ARTECHE.

3. SANSUE became a friar and yet liveth in the monastery of St. Augustine in Spain.

4. MARTINO PERES DE RECALDE died in Peru, being then viceroy of Peru, he died about a year after Alonso was drowned.

5. ALONSO drowned in a Gravesend barge and buried at Erith about the time of the taking of Antwerp, and dying in the lifetime of his father left one daughter called MARY, having no other child.

6. MARY the wife of ALONSO remained a widow five years in Spain after her husband's decease.

7. Her father-in-law died in Peru during her widowhood and disliked of that match, she having then a daughter, and devised all to the heirs of his son Alonso.

8. After the death of Alonso, his daughter MARY (posthumous) was committed to her grandmother, the mother of Mary and (*sic*) wife of Alonso.

9. MARY the widow married Alderman MORE, then but a factor in Spain for one Towerson, an English merchant, and so she came into England.

9 (*sic*). After coming out of Spain she did steal away her daughter and brought her also into England, being but an infant, and got her out of custody upon Christmas even.

10. Recalde the viceroy left lands and goods to the value of, &c. (*sic*).

They were seized into the king's hands and the accounts made up; the remnant cometh to, &c. (*sic*).

11. Great dislike was taken at her marrying with More. More escaped out of Spain with great danger in respect of his said marriage, as also of his being a protestant.

12. MARY the wife of More had issue by her first husband a daughter called MARY, which daughter was married to L[EWIS T[RESHAM] 1602[-3], being the same year that the alderman died.

13. The father[-in-law] of Mary the wife of More died a year after his son was drowned, and about a year (*sic*) before More married her.

14. The family of RECALDE is of great credit in Spain, and great means hath been made by that house, especially by SENSUE RECALDE, who is a friar and brother to ALONSO *ut supra*, to have MARY, daughter to alderman More's wife, to return into Spain to the end to be a suitor for her right.
1 p.

THE PURITANS.

[1603 or 1604?]-Notes by Sir Thomas Tresham, of "some of the principallest projects of the Puritans, collected forth of

many their instances, against the peace and league with Spain, wherein analysed the requisiteness of holding strict amity with the States of the Low Countries, as very demonstrable means for the infinite enriching this realm with treasure, and for the regaining of the long time forcibly withheld by the French the undoubted rights appertaining to the crown of this monarchy, and lastly for the most famous advancing of the gospel and extirpating papistry and popery forth of England, maugre the Pope and his bewitched followers. Wherein also not only particularised the facility and conveniency to be effected but moreover all important objections to the contrary, readily and fully answered and confuted." To this follow arguments on both sides, principally on the points: 1. That unity in religion is the band and tie for the happy perpetuating of Christian leagues; 2. That such has been the hostility during the last twenty years between us and the Spaniard, "such incursions and invasions done by each to other," such infinite losses sustained by the Spaniard by our intercepting his West India treasure at sea, and surprising his rich East India ships; such anger caused by the Infanta's pretended title to the crown of this realm, that he errs greatly who persuades himself that amity can ensue to such enmity. *Two papers (one in duplicate), in Sir Thomas Tresham's handwriting. 4 pp.*

SIR THOMAS TRESAME to GEORGE LEVENS.

1604 [April?], Friday. St. Albans.—Concerning a journey to "Cisseter," about to be taken by Levens, in relation apparently to viewing some lands for Lord Davers, and making improvements therein. It being the first time that he (Sir Thomas) has undertaken anything of the sort for another, he desires it to be so performed as to show his care, and somewhat his skill also. Before taking this journey, Levens is to tell the Grombolds and other free masons that they are to make ready the free stone work at Lyveden, as Sir Thomas intends to proceed in his building there in "March come twelvemonth." If Lord Burley fells any trees in Pipwell, he will "furnish there" what otherwise he will take in Basset's Hall and Galtney. [Details concerning materials, &c., for building.] John Slynn and Roland [Stickles] to assist in overseeing the workmen. *4 pp.*

Endorsed: "Sir Th. T. to G. Le. concerning his going to Cirencester. Also for bargaining with masons for Lyveden House." (*See Introduction, p. liv.*)

RECUSANTS.

[1604?].—Draft of a proposed Act by the King, Lords and Commons "in this present parliament assembled" freeing the husbands of "women covert recusants" from the penalty of *xxl.* the month, due on their recusancy. *1 sheet.*

FRANCIS TRESAME to HIS FATHER.

1604, May 23.—Stating that after his father has paid what he has undertaken to Broke, Lord Spencer and Mr. Hamden, there

will be still due to himself of his annuity next November 142*l.* 10*s.*, for which and for 50*l.* more, he prays Sir Thomas to become bound to Mr. Garratt. As regards the last sum, he hopes "by that time to make some money to quit these scores." 1 *p.*

Also

Note on the same matter, saying that if his father will do this, he will take such order as shall procure 100*l.* "against that day upon somebody else," and never again presume to offer him the bond. $\frac{1}{2}$ *p.*

COPIES OF RECORDS.

1604, July.—Note of payment for copies of records, and expenses incurred in procuring them, as boat hire to the Tower, to Westminster, and across to the Bank Side, fine gold paper (16*d.* per quire), "Dutch paper of the lily" (10*d.* per quire), parchment, &c. The entries copied were mostly commissions to the forest justices in relation to Sherwood forest, as for instance:—

28 Ed. I.	A commission to Clifford, Abingdon and	} vjs. vjd.
	Hartela - - - - -	
31 Ed. I.	A commission to Abel and Harewedon	xs.
33 Ed. I.	Patents to Colyer de Lindby - - -	xs.
27 Ed. III.	A patent to the abbot and convent of	} vjs.
	Flaxley - - - - -	

These have been identified on the Patent Rolls, and it would appear that about a shilling per sixty words was paid for the copies.

OATH TO BE TAKEN BY RECUSANTS.

[1604, July?].—Memorandum, unsigned, that herewith the writer sends the oath which is presently to be ministered by virtue of the act of Parliament, wherein, in his opinion, men should be well instructed before they swear. He has set down some queries, and if his correspondent could confer thereon with any of judgment, would gladly hear what might be said.

First, concerning civil obedience, and the undoubted title of the King and his issue, he takes "every man bound to satisfy."

For the other, "concerning divinity," he propounds the following questions:—

1. Whether the Pope hath authority to excommunicate a King that never was a child of his church, nor yielded obedience to him, but bred up in a contrary religion which he still holdeth?

2. Whether any man can be said to be an heretic who never was of the church, and therefore not gone forth upon any opinion of his own, but brought up in that he still holdeth?

3. Whether ever Pope held that Princes, &c., may be deprived and murdered by their subjects?

4. Whereas the oath extendeth to successors, which he supposes to mean "those that are to succeed after the King and his issue extinct, whether oath or obedience be to be given where no such succession is known?" 1 *p.*

Enclosing "The oath to be ministered to recusants by force of the Act of Parliament." 1 *p.*

Petition to KING JAMES I.

1604, July.—“A petition apologeticall, presented to the Kinges most excellent Maiesty by the lay Catholikes of England.”
See p. 153 below.

THE BANISHED PRIESTS.

1604, September 24.—“The coppie of the banished Priestes letter to the Lordes of his Majesties most honourable privy Councell.”
See ibid.

SIR THOMAS TRESAME to LORD SPENCER.

1604, October 7. Rushton.—My eldest son having entered into bonds and strange covenants with your father without my privity, I gave security for them to you and sold a good portion of my patrimony “to a gentleman of good worth and worshipful degree, and who had married your cousin german, Sir Thomas Lee’s daughter,” for payment of this debt and others, but he brake day with me. I gave notice thereof to your uncle, Mr. Thomas Spencer (my very good friend) and to your counsel, Mr. Baldwine of the Temple, desiring respite, and the principal was paid in Easter term, with offer of interest and charges, yet did I not get back my bond. In summer I heard that I was sued in your name by one dwelling in Islington, but having acquainted your attorney, Mr. Maye of the Inner Temple, with the matter, I made no question but the suit would stay until we should meet at his Majesty’s progress in this shire. It was however our fortune not to meet, and I hear that “the suit hath been prosecuted as if no penny thereof were paid, and as if I had been veriest bankrupt. For I had been *quintus exactus* in open court at the last quarter sessions at Northampton had it not fortun’d my cousin Tresame, one of the there then Justices of the Peace, to espy the process for public proclaiming me outlawed, and I am since certified from my house at London that the like was thither sent and there divulged in public assembly in the parish church. . . . The great good neighbourhood continued many ages between the Tresames and the Spencers, and my wonted friendly opinion conceived of you, permitteth not to enter into my thoughts that this is done by your direction or else connivancy, which hitherto in my full twenty four years term of restless adversity and deep disgrace for alonely conscience, testimony of my never cut-throate remorseless usurer hath attempted against me. If interest money and charges for needless law-suit herein will satisfy you I will indelayedly send it you. If you will not be satisfied but with having more, address me your will therein and I will return you forthwith frank satisfaction.”

Draft, 2¼ pp. Also neat copy of the same.

ROBERT, LORD SPENCER, to SIR THOMAS TRESAME.

1604, October 10. Althropp.—“I have received your large discourse, wherein some things you willingly let pass, other you

do not rightly inform yourself of. Men seldom give four years day of payment for that which they did pay at once, and when bands be forfeited, continually to be suitors to their debtors to pay their money. All this you know I have been to you and yours. For the continuance of the ancient love that hath been betwixt our ancestors, there shall be no cause given on my part to the contrary. But I will buy no man's love. I must be short according to my custom. You are to pay me 150*l.* upon the tenth of this next month. If you will pay me presently here at Althropp I will give you a general release for all debts and charges. If this will not serve your turn, and be held for kind dealing, I will cause you to request me, and I not you hereafter, as I have formerly done, seeing it is so slenderly regarded." *Copy, on the same sheet as the preceding.* $\frac{1}{4}$ p.

SIR THOMAS TRESAME to LORD SPENCER.

1604, October 20. Rushton.—“I wish and right heartily wish that your loving uncles and my good friends, Sir Richard and Mr. Thomas Spencer had been present at your receiving my letter. I then might have assured myself not now to be urged to return requisite answer to your letter addressed me, unfitting your late honourable calling, and unworthy my respective proceeding in due civil wise to you. In some sort you carp at mine, terming it a large discourse, though very little exceeding a page of a small leaf of ordinary paper . . . and expressly you do me to know that to be brief is your accustomed use in writing.”

My good affection to the Spencers was the original of my enlarging those my lines, and were it not to one with whom I desire a continuance of good neighbourhood, my answer now should be far shorter than yours to me, averring “that what he chargeth on me is idle, else untrue,” and that he has not answered one jot in defence of his honour. But my intendment is alonely to maintain my honour, to give satisfaction to the points of your letter, and to avoid unkindness.

“It is a wonted speech that a lie of a line not seldom requireth a large leaf of paper to return full answer thereto. Some dozen of points your short letter containeth, and to my seeming not well tied together. . . . You impute to me faultiness in willingly letting some things pass, and in others not rightly informing myself,” but I do not remember to have willingly omitted anything except your speeches in your uncle's (Sir Thomas Spencer's) chamber, which I did in order not to distaste you; and for the other point, I cannot guess what you mean thereby. [*Here follow long arguments upon Lord Spencer's statements.*]

“You will buy no man's love. I desire it not. You herein is *agens* and I *patiens*. By this your kind of bargaining you gain and I lose. You domineer, causelessly vex and plough furrows on my back. I suffer and endure all, yet must pay your minstrels who, after their pipes, thus maketh me dance whipping galliards.” Men come to market for divers ends. “What *Æsop's* cock neglected and rejected, the goldsmith jeweller was joyful of, and

esteemed at great value. Might I know the market where true brotherly love were to be procured, I should little account of mammon muck in regard thereof . . . You reprove errors in me which you neither manifest nor I conceive; as taxed to seek a needle in a mow of hay," and are so sparing of your lines that you leave untouched all that you ought to have regarded. [*Then follow further arguments.*]

"And as for your hereafter causing me to request you, I wonder what you mean thereby, when I never had any dealing with you but in this ridding my son from your thrall, and the last payment thereof is some few days hence . . . Why should not I challenge as well to cause you hereafter to request me? To equal Tresames to Spencers I repute no disparagement to them. Here do you draw me into particular comparisons, which I shun, only I commend to your memory whether the Tresames or the family of your Spencers have been in this country of longest continuance both [in] honourablest and worshipful calling; who in country and court, in peace and in war, within this realm and forth of this realm more used or more commanding?"

In your short letter I behold many defects and very much forgetfully omitted, and, so reputing it, refer it to your own explaining; "if it else should be as the words import . . . you readily may guess my answer of scorn thereto and defiance to yourself. Who will write what he ought not must hear what he would not." *Draft. 7 pp. Also fair copy of the same.*

Petition to THE PRIVY COUNCIL.

[1604, Michaelmas term.]—"Petition of some few such who in the life time of Queen Elizabeth have duly paid the 20*l.* for their monthly recusancy." Whereas his Majesty hath made known to us by your honours that he was pleased to remit us of all sums of recusancy money due from the death of the late Queen until the 30th of July last past, and hath given warrant thereto by his letters patents; and whereas divers of us did in the Easter term next ensuing after the death of the said Queen, "notwithstanding the then vulgar fame that his Majesty forth of his especial grace and clemency would not take our said recusancy money," by advice of our learned counsel pay in our half year's recusancy money then due rather than risk forfeiture of our lands and goods; may it please your lordships to be the means to his Majesty to exonerate us of our recusancy money accrued since the said July 30, and payable this term; which though it be much less than we in Easter term aforesaid did pay, "yet shall we in loyalest thankfulness and duty evermore register that his highness' memorable princely bounty and clemency." *Draft by Sir Thomas Tresham. 1 p.*

THOMAS COMPTON to SIR THOMAS TRESHAM.

1604, November 16. Strand.—Complaining that Sir Thomas's old servant Ridge has (against the conditions of his lease) let his

house to a fellow of whose honesty and sufficiency he knows nothing. $\frac{1}{2}$ p. *Seal of arms, but very indistinct.*

Endorsed: "Mr. Compton, Ronald Ridge."

RICHARD BRAY to SIR THOMAS TRESSAM, at Hogsden.

1604, November 17. Stowrton.—"If my pen could in corporal paper unfold pleasantly which my heart in mental spirit conceiveth seriously my writing should be long, and reading to your so modest gravity peradventure tedious; for what have not your great and laborious sweats merited of all English Catholics, who hath presented for them all a petition so judicially grounded, so orderly composed, so earnestly pursued, with so many sound, solid and invincible reasons, authorities, and exemplar probations interlaced, confirmed and concluded, that if the taker had so effectually accepted the meaning as the giver did effectually portray the matter, no doubt the fruits had been great to us all, for the which your egregious assault, I, one of the least and last of thousands, yield you immortal thanks, and will pray that your guerdon may be perpetual, beseeching you that you will maintain, revive, prosecute, and continue this your excellent endeavour, because the beatitude of godly exploits, gloriously begun, is referred to indefatigable perseverance until the end. Thus doing my much bounden duty to my good lord, lady and yourself, and heartily saluting your two young nephews, from whom I take my divorcement so much the more unpleasantly because my unskilfulness or unheedfulness might procure the same, and I did greatly joy and hope of them; without beginning I make an end, wishing you all much felicity. The writing discovereth the haste of the writer." 1 p.

GEORGE LEVENS to SIR THOMAS TRESAME.

1604, November 25. Rushton.—Stating that he sends the copies of the letters to Lord Spencer, and has also copied Lord Spencer's reply to the first. He finds that in one place he appears to have written "wittingly" for "willingly,"* which in his worship's own hand is not plainly written, so that he "could not well discern whether of the two words to use, both carrying good sense," but if his worship meant the other, it can easily be altered. $\frac{1}{2}$ p. *Used by Sir Thomas as wrapper for a bundle marked "waste papers; George Levens."*

MR. GAWYNN and MR. POUND.

1604, November 29. Star Chamber.—Summarily breviated. "Mr. Gawynn, six weeks dead, was inhumanly and most barbarously taken forth of his grave, and with a halter tied about his neck, drawn into a meddow, &c., by one Kennell, his greatest malicer in his life time, and a prosecutor against him for two parts of his living, &c., upon the statute of recusancy, &c. This

* In the fair copy preserved amongst the papers, however, the word is "willingly."

Kennell laying an odious imputation on Mr. Gawen that he had murdered himself, by suggested pretence whereof he attempted the said inhumane triumphing upon the dead corpse of Mr. Gawen.

“Mr. Attorney compared this Kennell to be such another as Felton,* whereby he manifested of what contemptible account they both were.

“It was there then ordered that in so much as this Kennell could not be found and that he had some suits pending in the Star Chamber which he prosecuted; that the proceedings therein should stay until he would come into the Star Chamber to make answer to that his barbarous and malicious misdemeanour done to the said dead corpse of Mr. Gawen.

“*Mr. Pownde's information to his Majesty.*—Mr. Pownde was presently after proceeded against. The principal points where-with he was charged were, viz. :—

1. His audacious presuming to deliver to his Majesty a petition containing many impudent untruths; first slandering the justice of this realm in setting forth how rigorously catholics are proceeded with and of the cruelty of the laws made against them.

2. In calumniating the two justices of Lancashire circuit (Serjeant Phillipps and Baron Savell) in many points concerning their last circuit in summer in Lancashire at Manchester assizes.

3. Also inference of scandalous imputation against justices of peace and jurors.

4. His defaming the time past (Queen Elizabeth's government) and time present, and also menacement of God's vengeance in time to come. All which gathered forth of his petition and amplified in particular by Mr. Attorney in evidence given against Mr. Pownde.

“*The three petitions of Mr. Pownde.*—1. Mr. Pownde in his petition beseecheth commission to be addressed into Lancashire to the Lord Monteege, to Sir [Richard] Moleneux his Majesty's there receiver and to Sir Richard Howghton for enquiry of the premises concerning the undue proceeding there of Serjeant Phillipps and of Baron Savyll.

2. And that they may answer it in the Star Chamber.

3. And if it prove untrue, that then let him have his Majesty's indignation, punishment, &c.

“*The general drift and purpose of Mr. Attorney in his set speech in the Star Chamber against Mr. Pownde.*—I. It should seem that Mr. Attorney's drift in his opening of that cause was no less to set forth the errors of Mr. Pownde in levity of crediting what was in that behalf related to him, and in thereupon preferring it to his Majesty as allegations absolutely true, than to project to that honourable court and to the great auditory there assembled the just cause and occasions inducing the late Queen Elizabeth to make such laws against the Catholics as he pretended as the

* Thomas Felton, an agent for searching out recusants.

necessity of his Majesty's confirming and establishing the said laws.

2. Next to persuade how profitable to these realms it would be to have the same laws put in speedy, due and exact execution.

3. And how inconvenient to have any toleration of religion or connivance of permitting favour to the Catholics in matter of religion.

"Mr. Attorney's drift in particular.—Lastly in petitioning punishment to be inflicted upon Mr. Pownde for his manifold gross errors committed in that his petition so exhibited to his Majesty, and in undertaking the same as set on by the Catholics (abusing therein his weakness and zeal) and would not discover them or any of them. *Memo.* Mr. Attorney's speech consisted in his narration and in his charging of Mr. Pownde, which he reduced for method and better memory into—

"Trialities.—1. Of slanders. The laws and justice of this realm slandered. The justices of peace and jurors slandered. The two circuit judges calumniated.

2. Of offenders. Baylie, Rawson and Carfe.

3. Of places. Manchester, Ripon, Durham.

4. Of times. Present, past, future.

5. Of the parties actors. Serjeant Phillipps, Baron Savell, Mr. Pownde.

"Punishment, corporal and pecuniary.—1. Secretary Herberdt. To be sent to the Tower, to be penal prisoner there. To stand upon the pillory at Westminster and at Lancaster. To be nailed to the pillory, and at Westminster to have one ear cut off, and the other to be cut off at Lancaster; 1,000*l.* fine. [*Memo.* Chief Baron, 4; Chief Justice, 6; Lord Knolis, 7; Lord Burley, 8; Lord Zowch, 9; Lord Treasurer, 14; Lord Chancellor, 15.]

2. Judge Yellverton. To be committed to the Fleet, as the prison properly belonging for commitments from the Star Chamber and so not the Tower. To be imprisoned during the King's pleasure; for this the usage of commitment from the Star Chamber, and not perpetual imprisonment is not the course of Star Chamber. To be set on the pillory in both the aforesaid places but not to have any of his ears cut off; and to be fined 1,000*l.* [*Memo.* Judge Werberton, 3; Lord Kynloss, 5; Bishop of London, 10; Archbishop of Canterbury, 11; Viscount Cranbourne, 12; Earl of Northampton, 13.]

3. The Lord Chief Justice differed from Secretary Herberdt, viz., That if Mr. Pownde did not before the beginning of the next term confess and discover who were the relators of those reports to him that then his ears should be cut off, else not. In which course followed all they speaking after him, who censured Mr. Pownde to have his ears to be cut off; viz., 7, 8, 9, 14, 15.

4. It was also censured by some one or two to have him also stand upon the pillory at York.

5. The Lord Cecill (Viscount Cranborne), added to have papers set on him to notify the cause of his punishment, saying that he else of himself would not acknowledge it.

"*Observances*.—1. Mr. Pownde, receiving by information his knowledge in the proceeding at Lancaster, and having had none commission to examine the particularities in that behalf, proved nothing directly but alleged hear-says without discovering the parties, as aforesaid.

2. Likewise no examination of witnesses or addressments by way of certificate were produced on the behalf of Serjeant Phillipps or of Baron Savell; neither did they in open court make protestations to the contrary, yet both in court.

3. Mr. Attorney used an argument or instancing that it was not credible that such a one as Baron Savell, who passed through all the degrees of common law learning, should so err in his charge as to publish and give in charge that all assisting a priest at mass should be felons, or to be in company of a priest and knowing him to be a priest and not to apprehend him, should also be felony; or to will or advise to indite subjects for recusancy without oath made that they abstained from repairing to divine service, which, Mr. Attorney said, was so gross and palpably ignorant as he who had read over *Lyttletones Tenures* but once would not have so erred.

4. Mr. Pownde instantly urged to have commission granted for examining of what he had alleged in his petition against Serjeant Phillipps and Baron Savell, answerable to his petition in that behalf to his Majesty; it was denied.

5. Then he requested that the Lords would cause to be denounced to the great assembly in the Star Chamber that if any there could testify in those points that they without offence might speak their knowledge; as not unlikely but that there divers so could. It was not granted.

6. *Memo*.—The advouching of Mr. Lancaster's testimony as a slander lie at the arraignment of Father Campion and others, and so saving Mr. Collington from being condemned and executed.

7. Then he seriously and importunately beseeched to have Sir [Thomas³] Heskytt, attorney in the Court of Wards, and Mr. Tynsley (both lawyers in Lancashire and therefore likely to have been present at the said Assizes at Manchester) to testify their knowledge in the proceedings at the assizes. It was answered by some standing by that Mr. Tynsley was gone that morning from London, and Sir [Thomas] Heskytt was not produced. But at that time, Baron Savell was sent for, who presently came to the bar but said nothing.

8. *Memo*.—When it was expected that Sir [Thomas] Heskytt of the Court of Wards should have been produced it was demanded of Mr. Pownd whether he knew that Sir [Thomas] Heskytt was at those assizes. He answered that he knew not. Thereupon, as it seemed, he came not to testify, yet was he then in the Court of Wards as some there said.

9. The next morning, one of Sir [Thomas] Heskytt's principal clerks was asked of his master being at Manchester assizes in

* Blank left for the Christian name.

summer past, who answered that he so was, and also Mr. Tynsleye, and that they had then the examining of a priest, by the direction of Serjeant Phillipps and Baron Savell.

10. The Lord Chief Justice by way of admitting said : that if Mr. Baron Savell had in his charge said that hearing of a mass might prove felony, as speaking of the extremity of the law, to thereby forewarn men so addicted from falling into danger of the law ; and exemplified that the law might be in sort strained thereto, if such hearers of mass should behold the party saying mass to be of young years, therefore not possible to be a priest made in Queen Mary's time but since the statute made against priests ; and withal they well knowing that none may or do say mass but alonely priests.

11. Mr. Pownde (upon Mr. Attorney's and the Lord Chief Justice's urging the necessity of the laws made against Catholics in Queen Elizabeth's time, and of the conveniency to have them established as this last act of parliament now hath done) alleged how facile it was to pass laws against Catholics, when as by the oath of supremacy they were exempted from being of the parliament, and as he was prosecuting that point, and instancing that the nether house of parliament might be as free in that respect as was the upper house of parliament, he was interrupted, and so ceased from further prosecuting the same.

12. Also he took occasion to speak of the death of the Earl of Northumberland in the Tower, saying that some night or two nights before, both he (the said Mr. Pownde) and other the then prisoners there, had all their chambers searched, and their pens and ink and paper taken from them, and, as he termed it that tragical death of the earl of Northumberland, and seeming that he could speak something therein, was again interrupted and so proceeded no further therein.

13. Likewise he entered into discourse of the death of the Queen of Scots, saying it was a strange course taken with an absolute Queen, and as he was desirous and earnest to have dilated the complotments, was told it was from the matter, and that it behoved him to make answer and proof concerning the execution of Baylye and Rawson, wherein he had untruly reported and laid slanderous imputation on Serjeant Phillipps and Baron Savell, and so was not permitted further speech touching the executing of the Queen of Scots' death.

14. *Memo.*—It seemed to the standers-by that he would have particularly dilated principal points concerning the executing of her, and withal have showed what he in particular and the Catholics in general have suffered for her.

15. And where the Lord Chief Justice amplified against the impudent lying of Catholics (as he invectively breathed out against them), saying it was no marvel that beyond the seas pamphlets were printed of inhumane proceeding against Catholics, and nominating the baiting of priests in bears' skins with dogs, Mr. Pownde thereto answered it was most true, and nominated Mr. Browne, a priest who was so baited with dogs.

16. At those words of Mr. Pownde the Viscount said: Hitherto Pownde hath witnessed his weakness and distraction of his wits, but now he counterfeiteth in his speech of this to be mad.

17. *Memo.*—Mr. Owynn, who dwelleth near Oxford, said at Mr. [blank], an ordinary, at dinner, in the presence of many, that he was present and did hear the said priest, Mr. Browne, to aver so much to his mother. And said he well knew him and that he belonged to the Lady Hungerford. This so said he the next day but one after Mr. Pownde's convention in the Star Chamber.

18. Also where Mr. Pownde attributed the saving of Mr. Colington (aforementioned) by Mr. Lancaster (the lawyer's) testifying that Mr. Colington was divers years in England before the statute was made against the coming in of seminary priests and Jesuits into England, the Lord Chief Justice denied it and said that Collyngton was saved in respect he was a priest of another spirit than the other priests and not factious.

19. As Mr. Attorney reduced all his speech, as aforesaid, into trialities, so a triality of his speeches were greatly observed. First that he seriously protested that there were above fifteen hundred recusants converted and become communicants upon the execution of Baylie and Rawson, who died protestants.

20. Secondly that where in the course of his whole narration and charge he severed Mr. Pownde's proceeding from matter or nature of religion, yet afterwards in sounding the day's victory he gloried in triumphant wise, saying that this day the protestant religion had gained the greatest victory against the catholic that at any time erst they had.

21. Lastly, when Mr. Pownde was entered into course of speech as aforesaid to have projected in what strange wise the Queen of Scots was here deprived of her life, but interrupted and not permitted to persevere further therein, Mr. Attorney said: Well, Mr. Pownde, when his Majesty shall be advertised hereof, he will give you little thanks for calling his mother's death there into question.

22. *Memo.*—The Lord Chief Justice, inveighing against priests and how like swaggerers they go, he said that Campion was in his house in a green velvet jerkin and hose unknown to him. *Quere*, if in his house? Some so affirmatively say that he so said; some doubt thereof, as not certainly remembering it.

23. The Lord Burley seriously urging and looking on Mr. Pownde, turned his speech and eyes towards their lordships and said it was far better and more fitting to have that cause censured there than to have had it put up and ended between some two or three of the Lords of the Privy Council. Some conjectured, by the fixing of his eyes that he intended it by the Earl of Northampton, the Viscount [Cranborne] and some other.

24. And where the said Earl and Viscount manifested their commiserating Mr. Pownde in respect of his old age and decayed wit and memory, the Lord Chancellor in some sort recapitulating thereof but not nominating the parties, said it was no new life to him, &c.

25. The Archbishop avouched an authority forth of Saint Cyprian, which Mr. Pownde peremptorily reprov'd, saying it was St. Jerome and not St. Cyprian, whereto the Archbishop replied not.

26. Mr. Attorney scoffed at Mr. Pownde for fondly applying the case of the Gabonites to the Catholics, saying that therein his fellow Catholics were little beholding, he setting forth what the Gabonites were, and how craftily they procured their own peace, &c. Mr. Pownde replied, and applied their servitude to the Catholics, and that Almighty God was so grievously offended therewith that he punished the land with — years' famine; which when Mr. Pownde had so set forth, he concluded saying, I now have taken you in your own argument, whereto *ne verbum quidem* by Mr. Attorney.

27. The Viscount termed Mr. Pownde a *polypragmon*, and Mr. Attorney and divers others in the Court of Star Chamber censured him a prolocutor for the Catholics, and that he was set on by cunning-witted Catholics to do as he hath done, they therein abusing his simplicity, zeal and weakness of wit. He answered and protested that he was set on by none, nor did acquaint any of the Catholics with his petition.

28. The Viscount told him that he verily assured himself that the Catholics made no election of him to be their prolocutor, and that he was a weak and feeble-witted old man, and to his understanding distracted in his wits, and that his memory was so decayed that where he had a submission well penned (as it seemed by some of his fellow papists who formerly had set him forward in his petition to the King) and could not through feebleness of memory deliver it in speech to the lords at the Council table, they licensed him to take it out of his pocket, and to read it to them, which, said the Viscount, was very well penned and well allowed of.

29. *Mem.*—His want of judgment, his weakness of wit and discourse, also his destruction of wits, was so apparent that it was touched in the speeches of all they that spake against him in that court; yet they taxed therewith that he was set on by his fellows, &c. as aforesaid.

30. Upon the Viscount's speech (28) Mr. Pownde replied that upon his said submission and asking Mr. Serjeant Phillipps' forgiveness, he little thought to have been produced in the Star Chamber, and delivered it in such a sort as if he so were promised or entertained with some such temporising hopes. It also seemed that Mr. Pownde had little liking to speak of that forgiveness demanding as the success ensuing contrary to his expectation, &c.

31. The Viscount prayed pardon of the court if he exceeded patience in speaking of Parsons the Jesuit, for that he of long time could not speak patiently of him.

32. The Archbishop urged some papist paradoxes, as he termed them, and pleased to cite them, being unjust and envious, among which he avouched one as a principle among the Jesuits, that to do *iniquum et impium* were warrantable, so it were *ad commodum ac utilitatem societatis Jesu*.

33. And that all papists held themselves strictly tied by the rules of their religion as never one to accuse another. Therefore said he, nothing is to be learned forth or discovered from them but by putting some Judas among them. Divers urged the like against Catholics.

34. The Lord Zouch ended his eager speeches against Mr. Pownde : viz., that he joyed and thanked God that Pownde was not of their religion but of the papists religion. Many marvelled thereof when yearly such multitudes of notorious and detestable malefactors are executed for most odious and abominable faults, being no Catholics but Protestants and professed enemies to Catholics.

35. Where[as] by Mr. Attorney and others it was greatly instanced and amplified how the old priest Attkinson (near ninety years of age), maintained for a position of divinity that if any should kill the king, that he could absolve him thereof, if the party so offending were repentant and penitent thereof, the Viscount strongly reprov'd the interrogating of such questions, as whereby danger might ensue to the State and no good ; and added : what do the papists' priests challenge therein to do, then our ministers may do. And (said he) who doubteth but to him who confesseth his offence and truly repenteth him thereof and maketh satisfaction for the same, but that his sin, be it never so damnable, is remitted and pardoned before God. Some say that he used not the word satisfaction but contrition.

36. It was in such sort urged as if it had been a common position of that old, aged priest concerning absolving any who should kill the King, where[as] he was driven into it by interrogating him generally at the first for absolving of sins, and after drew from [one] particular sin to another and so at last did interrogate him concerning absolving any such who should kill the King ; whereto he answered, if any should be so wicked to commit so wretched a fault, and after become duly and heartily repentant thereof, that he would absolve him ; even so would he do to any for maligning and blaspheming Almighty God in highest degree, who so should truly repent him thereof.

37. Behold the malice of such magistrates against poor and pious well meaning Catholics, so to abuse them ; and when their own doctrine is, at what time soever a sinner repenteth him, that God will put such man's wickedness forth of his remembrance. And as this is the beginning of their service, so doth the communion authorise the minister to absolve the offender penitent for his sins committed. It was censured of many the standers by a great wrong to the poor and aged man, as to the Catholics in general, to lay so particular and odious an imputation, the interrogators only in fault thereof, and those who in such scandalous and malign wise enforced it ; especially when they themselves must have done the like (being interrogated by so supreme magistrates as justices of assize in the time of their holding their assizes), or have denied their religion and expressly God's word in that behalf.

38. This priest was then condemned in the premunire for maintaining the Pope's supremacy and denying the King's supremacy in causes ecclesiastical.

39. Mr. Attorney in extolling the Protestant religion for the only true religion, used the instance of supremacy, saying that the said Attkinson and papists did damnably and detestably attribute it to the Pope, and that Jhonson and Jhonson (*sic*) two notorious sectaries, did attribute it to the presbytery. But, said Mr. Attorney, we Protestants do give it to the King, as his right and undoubted due.

40. The Archbishop, in his invective against papists and the Pope, avouched St. Jerome to Marcella to abandon 'Roome' as the then purple harlot and the seat of Anti-Christ as foretold in the Apocalypse; whereas St. Jerome doth there to Marcella write, &c. vide Jo. 1 Epistle, [ii] 18. And Eudox and Paula to Marcella, supra Epistle, 17; most differing from the malicious application of the Archbishop." 8 pp. *In Sir Thomas Tresham's hand.*

FRANCIS TRESAME to his Father, SIR THOMAS TRESAME.

1604 [-5, Feb. 18], Shrove Sunday.—"In my cousin Catesbie's promises, there is so little assurance as that I think it much the better way to take up so much of the Alderman for you to pay Bennitt withal; for so you shall shun the discredit of the suit, which the rather you are to prevent because your cousin Tresame is bound, who is now off of the hooks, for he will not receive the money that is due unto him upon your band except he may also have an old debt due to his father." [The rest of the letter is about a debt due by "Cousin Bawde" and other business matters.] 1 p. *Endorsed*:—"Brought to me by Hilkton, the present 'Shroff' Sunday, 1604."

SIR THOMAS TRESAME to GILES PORTER, Esq.*

[1604-5, March.]—"My son Lewes—who hath married the daughter and heir of Mrs. Moore's first husband, a Spaniard, and of the honourable family of the Perez, whose father died vice-roy of the West Indies, leaving but two sons; this gentleman, father to my son Lewes his wife, and one other son, Sansue Perez de Recalde, a now professed religious man—hath just pretence in his wife's right to be petitioner in Spain (answerable to the law and custom of that country), that she be admitted as sole inheritrix to the goods and possessions of her grandfather, who over lived her father some few years, as my son shall more particularly make known to you. My said son, taking the opportunity of the honourable present embassy hence for Spain, hath obtained special licence from the Lords of his Majesty's most honourable privy Council in that behalf. And in so much as this is my son's first journey of travelling forth of this realm, is also a mere stranger to that country and 'unlanguished' in the Spanish speech, I am

* Father of Endymion Porter.

to desire you (who is well furnished in all these wanting in my son), that you will stead him and friend him in this his journey and important action, what with your kind conveniency you may." *Draft.* 1 p. *Lewis Tresham accompanied the Earl of Nottingham to Spain, in March, 1604-5. See Cal. S.P. Dom. 1603-10, p. 269.*

Addressed: "To my dear-beloved good friend, Giles Porter, esquire."

FRANCIS TRESAME to his Father, SIR THOMAS TRESAME.

1605 [May 18 ?]—"I was with my cousin Catesby this morning, who promiseth money to-morrow to pay the interest, but you know his promises. He saith that my cousin Winter is in the country, but that he must send down a scrivener unto him for other matters; then he shall be bound for your debt." As regards your bond for my Lord Roche, "I have procured two hundred pounds of Mr. Cotton upon Sir Francis Hubborde's, Sir Walter Mildmay's, one Mr. Lawson and another lawyer's band. I know them to be very sufficient men; three of the first being in possession at the least of a thousand marks a year land apiece, and the last well landed and a good office in the Chancery, but yet Mr. Cotton, not knowing the men, would not do it" without our hand to pay it two months after if they should fail.

Endorsed by Sir Thomas:—"Delivered me from my son by his servant this Whitsunday morning [May 19] 1605."

THOMAS VAVASOR to his Master, SIR THOMAS TRESAME.

1605, June 3.—Coming from Livden I met with Mr. Dall in Brixtok fields, as he was coming from the parks. He in very kind manner embraced me, "asking as friendly of you, and told me that he had sent you word that he was the farmer of your tithes and merrily laughing said he would take tythe wool not as others use to take the tenth fleece, but would have every fifth or sixth fleece of you." I said to him: you say and unsay; one day you would not take the tythes, and the next the contrary. "Then he said the Vicar would needs urge them on him . . . saying that he was lothe to deal with you, being so great a man. I said you had dealt with many meaner men than he for much greater matters and carried an even hand with all men." Then he declared that he and you would agree well enough, and we might stock the land again with sheep, but I told him the ground was not so convenient for sheep, but was fitter for cattle. Then we parted, and "as I came by Brixstoke town side there was the vicar with another like minister. I rode out of the way to him; he seemed rather not to see me; I said, Mr. Sharp, we looked for you at Rushton the last week or now at Livden. So then he desired to go aside from the other, and made a simple excuse of churching a woman that day. I say, any day else, if it had pleased him, you being so near at Livden. He was clean out of

countenance, and mumbled in words that I could not well understand him, but said that he had let your tythes now to Mr. Dall. Why sir, said I, was your promise no better remembered. . . . I pray you sir, let me ask you another thing: have you let to Mr. Dall any other tythes but Livden. He said no: and further may I be bold to ask you what he doth pay for Livden tythes. He gave me no answer awhile, and then said they were not so fully agreed of the price he had promised to him, and said that Mr. Dall would use you well. I said unto him, assure yourself, Mr. Sharpe, my master standeth indifferent, but thus much I know, that he would a given to you a better and greater consideration than ever he will give to Mr. Dall.

"You may see here is cunning and policy. The vicar hath let your tythes to Mr. Dall, and yet knoweth not for what, nor for how much." 1 p. *The date is given by Sir Thomas in the endorsement.*

LEVINUS MUNCK to SIR THOMAS TRESAME.

1605, July 2.—"Concerning the question of your forbearing to serve in the Commission without offence or no, upon the motion of it, I find it referred to your election, for as there is no absolute necessity for your being at it, so it will not be so ill taken if you forbear it. This is the substance of the answer I received from his Lordship, according to the which it may please you to govern yourself. And for mine opinion, I would rather advise you to forbear to be at it, out of the considerations formerly urged, than by being at it, to give the least occasion of offence to some in the country." *Seal of arms.*

Endorsed by Sir Thomas:—"Mr. Levinus, secretary to the Earl of Salisbury. Answer to my demands from his lord whether without offence I might relinquish the present forest service directed to me and others by his Majesty's commission for special forest service to be done for his highness, verte and venison, &c. Having already so far proceeded therein as that the inquests are ready to return their inquisitions." $\frac{1}{2}$ p. *Seal of arms.*

FERDINAND BAUD to his Cousin, SIR THOMAS TRESAM, at Lyveden.

1605, July 14.—States that he has long travailed with the tenants of Houghton, to give them some satisfaction, but finds them every day more obstinate. They are grown so bold since counsel taken of Mr. Crewe last assizes, that not only those who are interested in estates by leases, as Nichols, Harris, Watts and Atterbury, but all the rest also, presume to plough in his forbidden plot, which he intended to inclose. 1 p. *Seal of arms.*

BONDS.

[1605, November 28?]—Memorandum of bonds, in sums varying from 60*l.* to 600*l.* The names of those bound (some of which occur several times) are Sir William and Sir Charles

Cornwalleis, Philip Stone, Sir William Herbert, Sir Mark Ive, William Bunce, Sir Thomas Rooper, Sir John Radcliffe, Sir Symeon Steward, James Price, gent., Sir Michael Greene, William Durdaunt, Francis Joyner, gent., Robert Dalton and Edward Norris, esquires, Sir Francis Lovell and Sir Nicholas Saunders. The holders of the various bondes are Philip Cotton, Thomas Lewis, Thomas Colwell, Mr. Tressam of the Lawnd, Francis and Lewis Tressam, esquires, John Throckmorton, esquire, and Matthew Bull. Below is written "All these bonds were delivered by me to Mistress Tressame together with two letters from Sir Nicholas Saunders to Mr. F. Tressame and two letters from Sir Francis Lovell to him also, all bound up in a linen cloth sealed up with hard wax, the 28 of November 1605. *This is the latest date mentioned in any of the papers.*

ROL[AND] STICILES to his Master, SIR THOMAS TRESOME,
at Rushen.

[No year.] January 10.—"Right worshipful, my humble duty remembered. I have made the ordnance (*sic*) according to your request and have made them by the symmetry or measure agreeing with the Doricke architrave, frieze and cornice. The enriching of the friezes, I refer that unto you and the workmen, and so I betake your worship unto the Almighty, who send you a merry new year in Jesus Christ." $\frac{1}{2}$ p.

Endorsed :—"Stickles' moulds for building."

SHEEP BREEDING.

[No date.]—Calculations concerning the profits of sheep breeding. 1 p.

Also

List endorsed "A note of what sheep Mr. Lewes had of my lady" viz., 1,260 sheep at prices ranging from 20s. for a ram to 10s. for a ewe lamb. Total, 871*l.* 13*s.* 4*d.*

GEORGE LEVENS to FRANCIS TRESHAM.

[No date.]—I hereby certify you the contents of Mr. Gage's lands [*here follows a statement of the measurements of the land and the negotiations with the holder thereof*]. "At your departure hence you willed me to mention in my letters a more quantity than his ground did amount unto, thereby to make the sum of your agreement, the same amounting to more than my Master would willingly condescend or was privy unto by 10*s.* in an acre." I am loath to put down otherwise than the truth, for I believe my Master has some inkling of the contents of the land, and even if he has not, likely it is that either by Mr. Gage, his surveyor, or one accident or another, the truth would come out; moreover, to prevent double dealing, if I were minded to it, he has associated Andrewes with me. I therefore hope you will not blame me if I do not satisfy your expectations, "whom I protest I most willingly would pleasure in anything that would not be prejudicial to the trust and credit reposed in me by my Master.

I am verily persuaded that although my Master should dislike of giving 10s. in an acre more than he was privy unto, and thereby impute some blame unto you, yet will he not stick to condescend unto and confirm what you have concluded upon." Therefore as nominating some more acres will hold you blameless and bring no more loss to my Master than he would else have to endure, and so is in some sort justifiable, especially as it is no benefit to myself, I have adventured thus far from the truth [here follows an account of certain alterations made in the accounts]. "Thus far forth I have stretched my credit to stead you, which I beseech you so to handle that for my well-wishing I reap not discredit and discontentment." *Draft.* 2 pp.

Endorsed :—"To Mr. Francis Tresam from me touching contents of Gage's lands in Rushton."

T. B. to [SIR THOMAS TRESHAM?].

[No year.] March 14.—"My humble duty remembered, with like thanks for your late vouchsafed charities. I could have wished that the one for more continuance and for a matter of some longer conference, if time had permitted, had occurred in the afternoon rather than in [the] forenoon, when I am not so free for many impediments. But most grateful it was to me, howsoever. Here be daily so many outeries and alarums about searchings in the city (God keep you from the like in the country) that methinks now, it is the safest way to stand here, as I do, as it were at the march. *Conversi sunt in arcum pravum*, they level at pure zeal, but they hit impure avarice. Thirsting after blood in the end, it is to be feared; but for an interim they can haply quench their thirst with *aurum potabile*. God help many a poor soul, that most willingly would redeem with his blood the extreme vexation and utter undoing of his poor wife and family. In the hands of God be means to help it, but no medium that is *commensuratum*, in the eyes of man, is so probable to help it and to cure it also as is a public disputation, with free producings of the best of both sides, moderators and notaries to be assigned accordingly. God of his infinite mercy instil it into the hearts of all Christian princes that by their serious endeavours it may be effected. I humbly commit you, good Sir, with my virtuous and good l[ady] and your whole family into the provident hands of Almighty God."

NICHOLAS MORRICE* to SIR THOMAS TRESHAM.

[No date.]—Ille demum incredibilis dolor est, Tressame clarissime, que me pupugit jam diu cum desiderio tui, tum cogitatione promissi mei cujus fide, quocunque me verto, sentio equidem quam sim vehementer obligatus verum quiddam horribile sic percussit subitò mentem meam ut non modo concilium ad te

* In an examination of George Vavasour in 1605, he speaks of Nicholas Morrice as "Sir Thos. Tresham's schoolmaster." (Gunpowder Plot Book, No. 155.)

proficiscendi tardaret, sed me etiam a me ipso penitus distraheret Jhesu Christe me ne speculatorem emitti? sed non scindam ipse dolorem meum quem tibi, is qui has perfert, ex omnibus partibus copiosè, sine literarum sermone, tutò explicabit. In quo si ullis pravis suspicionibus tuam, illustrissime Tressame, virtutem violarem, immemor essem non modo prudentiæ et bonitatis tuæ, sed gratitudinis etiam meæ. Quid ergo est? equidem unde telum hoc emittatur nescio ubi infigatur dolenter exterior. illud enim ex familiarissimo, et ut nunc sunt integerrimo viro didiceram in nos acriter inquiri a certis hominibus quasi oû Wollæi emissarium emissum, ad viros amplissimos aliquo gravi stratagemate percutiendos. Quis inquit? quis sciscitatur? is cui in mandatis a clarissimo viro Moricii fautore datum est, ut omnem hanc suspicionis angulum peragraret. quæ res eò me vehementius excruciauit, quod mihi essem conscius me, neminem patronam præter unam te unquam mihi adoptasse. Ego ne igitur tanquam si innocens essem, de onero aliquid ex mei criminis gravitate, et in humeros vel tuos vel alicujus traiciam? Christum testor qui animi mei recessus omnes speculator, me non tam succensuisse alicui (non usque es obliviscebar mei) quam nostram infelicitatem luxisse, quod nec in Curia propter inductionem animi, nec in ulla solitudine, propter Wollæi avunculi auctoritatem, si no gravissimis suspicionibus possem vivere. In te igitur injucundissima Oxonia inter diros serpentes cruciabiliter commorabimur dum Deus optimus maximus nos, supra quam dici vel concepì potest, gementes et (erumpet enim reliquando vera vox) sacrymantes respiciat, et ex ista eripiat colluvie Puritanica quæ in nos talea minimi faventes redundat quotidie. Vides me garrire? Ignoscat dignitas tua si ea rogatu subito chamberi, effuderim in chartas quæ digna non sunt vel ut a somato christiano rhetore perscribi vel a doctissimo clarissimoque Tressamo perlegi debere videantur. Vale tibi que persuade Tressame, illustrissime neminem esse in quo amando colendoque plus charitatis construerim Rapt. Tuæ dignitatis studiosissimus. N. Moricius. [*This letter is given in the original as the sense here and there is somewhat obscure.*] 1 p.

THE INHABITANTS OF METHERINGHAM TO SIR THOMAS TRESSAM.

[No date.]—"Right worshipful, whereas your tenant, John Tirroll, free mason, hath by his deede undertaken the finishing of the free-stone worck of Methringham Church in Lincolnshire, consumed with fire, the said John Tirroll will not come according to his covenant to performe the said worck. He excuseth him selfe by your Worship's worck, wherefore wee, the inhabitantes of the said towne, desire you to spare him to fulfill this charitable worck, yea to send him to yt, that wee bee not compelled to put him to suite." *No signatures. Small piece of paper.*

PRINTED BOOKS OR PAMPHLETS.

[1564.]—"A PROOFE OF CERTEYNE ARTICLES | IN RELIGION DENIED BY M. IVELL [JEWEL] | THAT CHRISTES CHURCH | HERE IN EARTH MUST OF NE | cessity have one chief head | and governor

under Christ | to rule the same." | 4to. 136 folios. No title and imperfect.

1585, March.—“A Declaration of the cau | ses that have mooved the Cardinal | of Bourbon, the Princes, Peeres, Gentle- men | Townes and Comminalties Catho | like of this Realme of Fraunce, to oppose them | selves to those which by all meanes | do seeke to subuert the Catholike Re | ligion and the Estate.”

At end “Giuen at Shalous (*sic*) the of March 1585. Signed, Charles Cardinal of Bourbon.”

12mo. 12 pp. No title.

1585, April.—“A | Declaration set forth | by the French Kinge, she | wing his pleasure concerning | the new troubles in his | Realme. | Translated out of French into En | glish by E.A. | London. | Imprinted by John Wolfe dwelling in Di | staffe lane neere the signe of the | Castell, 1585.”

At end “Giuen at Paris in the moneth of Aprill 1585.”

Signed, Henry, and underneath, De Neu-uille.

12mo. Black letter. 24 pp. (Stitched together with the preceding.)

[1593.]—Two dialogues: 1, on the legality of Henry VIII.'s marriage to his brother's betrothed wife. 2, on the parentage of Anne Bullen, the birth and claims of Queen Elizabeth, &c. Also the Pope's letter of dispensation, 1503, the judgments of the Universities, &c.*

4to. 190 pp. Imperfect and in very bad condition. Latin.

1598.—“THE | SPIRITVAL | Conflict. | Written in Italian by a deuout | Seruant of God: and lately | translated into English | out of the same | language | *Militia est vita hominis super terram. Iob cap I. ver 1.* | †I.H.S. Printed at Antwerp. 1598.” Dedicated “To the right reuerend | Mothers, the Abbesse and | Sisters of the Monastery of S. | Andrew in Venice, de | sirous of Christian | perfection.” | Signed, “Your servant in Christ, Hierome Counte of Portia, the elder.”

12mo. 188 pp. Covered in vellum.

1604.—“A PETITION | APOLOGETI | CALL, PRESENTED TO THE | KINGES MOST EXCELLENT MAJESTY, | BY THE LAY CATHOLIKES | OF ENGLAND in July last.

In eo detractant de vobis tanquam de malefactoribus, ex bonis operibus vos considerantes, glorificent Deum in die visitationis.

In that wherein they misreporte of you, as of malefactors, by the good workes considering you, they may glorifie God in the day of visitation. 1 Pet. 3. v. 12.

Printed at DOWAY by JOHN MOGAR, at the signe of the Compas. 1604.”

Dated by the editor, “From my study in DOWAY, this 16 of October 1604. Your very loving sonne and servant in CHRISTO DOMINO Jo: LECEY.” 4to. 37 pp.

* The Rev. W. D. Macray has kindly identified this as “Anti-Sanderus, duos continens dialogos &c,” printed at Cambridge, 1593.

Also

"THE COPPIE OF | THE BANISHED PRIESTES LET | TER TO THE
LORDES OF HIS | MAESTIES MOST HONOVABLE | PRIVY COUNCELL."

Dated, "From the sea-side, this 24 of September, 1604." [The
Priests' letter is printed in Dodd's *Church History* ed: Tierney,
Vol. IV, Appendix, p. xc.] 4to. 2 pp.

1605.—"A | SVRVEY OF THE | NEW RELIGION, DETECTING | MANY
GROSSE ABSYRDITIES | WHICH IT IMPLIETH | set forth by Matthew
Kellison, | Doctor and Professor of Divinitie. | DIVIDED INTO
EIGHT BOOKES. | *Newly augmented by the author.*

Nunquid colligunt de spinis ruas aut de tribulis ficus? Mat. 7.

Do men gather grapes of thornes or figges of thistles.

*Vltra non proficient, insipientia enim eorum manifesta erit
omnibus.* 2 Tim. 3.

They shall prosper no further: for their follie shal be manifest
to al. *Woodcut of the Agnus Dei.*

Printed at Doway by LAWRENCE KELLAM, | at the signe of the
holie Lambe | M. DC. V."

4to. 404 pp., preceded by *Epistles to the King, the Lords of the
Council, and the Christian Reader. With tables of Contents and
of "the principal things proved or disproved in this booke."* Covered
in vellum.

1605.—"A | DIRECTORIE | TEACHING THE | WAY TO THE TRVTH IN
A | BRIEFE AND PLAINE | DISCVRSE AGAINST | *the heresies of this
time.* | Whereunto is added, | A SHORT TREATISE AGAINST |
ADIAPHORISTS, NEVTERS, and such as | say they may be saued
in any Sect or | *Religion, and would make* | of many divers sects
one | Church.

1 Cor. 2. *Veni non in sublimitate sermonis aut sapientiæ.*

I came not in loftiness of speech or of wisdom.

Psal. 63. Sagittæ paruulorū factæ sunt plagæ eorū.

The darts of little ones are made their scourges.

3 Reg. 3. *Dabis ergo seruo tuo cor docile.*

Thou shalt giue therefore thy seruant, a hart easie to be taught.
Salomon.

Printed with licence. 1605.

Dedicated. ADMODUM REVERENDO IN CHRISTO PATRI, ERVDITIONE,
pietate, and morum integritate conspicuo, GEORGIO BLACKVELLO,
Archipresbitero, totiusq; cleri Anglicani Ordinarii, intra
Britaniæ fines laborantis, & constituti, moderatori, & rectori
optimo, Radfordvs in Domino salutem."

Dated, "27 Martii, 1599." Signed I.R.

12mo. 608 pp. Covered in vellum.

Another copy of the same, with the cover torn off.

[For note upon these volumes, see Introduction, p. xxxii.]

ADDITIONAL MANUSCRIPTS
OF
SIR THOMAS BARRETT-LENNARD, BART.

[SECRETARY WINDEBANK?] to the LORD LIEUTENANT
GENERAL OF IRELAND.

1634, April 12.—“In your Lordship’s letter of the last of January, 1633[-4], to Mr. Secretary Coke, I find that your Lordship, mentioning that my Lord Falkland was restrained by proclamation not to meddle in any cause betwixt party and party, desired to understand his Majesty’s pleasure (not intermeddling with any matter of inheritance or with any cause in issue in any other of his Majesty’s courts of justice) how his Majesty would have your Lordship govern yourself.

“To this by way of apostile, signed by his Majesty’s own hand, was returned these words following :—

“Though we thinke not fitt by a new proclamation to recall the former, yet, for your particular, we are pleased to give a speciall dispensation by our letters to give you power to heare and end causes betwixt party and party, with the restrictions you here set down.” *Extract.* $\frac{1}{2}$ p. [See *Wentworth’s letter of Jan. 31 in “Strafford’s Letters and Despatches,”* i, 201.]

LORD MOUNTNORRIS and SIR ROBERT LOFTUS.

1634, May 15.—Final Concord, made in the King’s Court, at the King’s Courts, on the above day, 10 Car., before Sir Gerald Lowther, Sir Samuel Mayart and Sir John Philpott, justices, and others, between Francis, Baron of Mountnorris, plaintiff, and Sir Robert Loftus and Ellinor his wife, Charles, Viscount Moore of Drogheda, Sir Edward Loftus, Sir George St. George, and John Gifford esquire, defendants, by which the defendants jointly and severally grant to the plaintiff certain lands in Dunsincke and Scriblestowne [co. Dublin]. With note of publication on sixteen different dates, the last being February 12, 1634-5. *Certified copy. Nine sheets of paper.*

SIR JOHN COKE to the LORD DEPUTY OF IRELAND.

1634, June 30.—“The courses your Lordship takes for regulating the Council Board, the attendance of the nobility, the

hearing of causes, and licensing of wools, which conclude your observations, require no answer but to tell you that his Majesty both accepteth your thanks which I represented unto him, and in them all applaudeth your good endeavours." *Extract.*

ADAM, LORD LOFTUS, LORD CHANCELLOR OF IRELAND.

[1635, January 20.] Octave of St. Hillary, 10 Car.—Memorandum of fines acknowledged by Lord Chancellor Loftus and Francis Dade to Lord Moore, Lord Claneboys, Serjeant Eustace, the King's solicitor and Justice Donelan, of the manor of Rossenollis [Rosenallis] and other lands in the Queen's County and King's County.

Also fines acknowledged by the Lord Chancellor to the same, of the manors of Monasterevan, Cossegowley, Fonteland and other lands in the county of Kildare, King's County and Queen's County. *Draft.* 1 p.

THE LORD DEPUTY and other COMMISSIONERS FOR CONFIRMATION
OF DEFECTIVE TITLES.

1635, May 14.—Thomas FitzMorris Gerrald of Gortnetubred, co. Limerick, having petitioned that George Courtney, esquire, might be compelled to surrender to his Majesty the lands of Clenglish, co. Limerick (whereof Thomas McShane, *alias* Thomas Cam [FitzGerald], attainted grandfather of Thomas FitzMorris, was seised), according to an order in Council of November 4, 1610; the matter has this day been fully heard in the presence of both parties and their learned counsel; upon debate whereof, it appears that FitzGerrald claims upon the said order, grounded upon letters of the Privy Council, dated June 27, 1610, that Morris FitzThomas Gerrald, father of Thomas, should be established in the said lands—to be surrendered by Courtney—and that "in respect of the said Morris his good service, he should be restored in blood at the then next Parliament."

These letters appear to be grounded: 1. On the proclamation of 23 Elizabeth, promising pardon for lives, lands and goods to such of those who were then in rebellion with the traitor Desmond as should submit within a certain time, and that the said Thomas McShane, *alias* Thomas Cam, petitioner's grandfather, did so submit himself. 2. That Sir Thomas Norris, then Vice-President of Munster, and other Commissioners [for the Plantation], settled the lands to Morris FitzThomas, by order of Sept. 29, 1589. 3. That Sir John Perrott, after he left this government, avowed to the Privy Council in England that he had given his word in the Queen's name to such as came in, that they should receive no prejudice by the Act of Attainder of those who had been in rebellion with Desmond, and that thereupon, by the Privy Council's letters of March 25, 1593, those under whom Courtney now claimed were required to surrender the estates to Morris FitzThomas.

In contradiction of which reasons, Courtney has shown that notwithstanding the proclamation of 25 Eliz., Thomas Cam was

attainted by Act of Parliament, and that although the Parliament [of Ireland] refused to pass the Act unless eight persons therein named (who had submitted on the proclamation) were saved—whereupon Lord Deputy Perrott undertook that these eight should be provided for, in order to secure the passing of the Act without its having to be sent back into England—yet the said Thomas Cam was “none of the said eight,” as appears by certificate of the late Lord Deputy Chichester and the testimony of witnesses,* and that though it was affirmed by Sir George Bouchier (upon whose certificate the said order of Sir Thomas Norris and the other Commissioners is principally founded) that he was one of those who submitted on the proclamation, yet not being of the eight for whom Sir John Perrott’s word was passed, he was attainted by Parliament, and no way saved. Wherefore the two first reasons inducing the Lords’ letters of June 27, 1610 are fully answered, and as to the third—that Sir John avowed to the Lords that he had given his word that such as came in should not be prejudiced—it does not appear that he avowed this by any particular certificate, but simply that he subscribed, with the Lords in England, a letter of their Lordships signifying that he had passed his word, which appears to have relation only to the eight excepted persons before mentioned; nor is it likely that Sir John “should pass his word in so unlimited a manner, whereby it would have come to pass that little or no advantage could be gained to the Crown by passing the said Act, in regard that many that had been partakers in that rebellion did submit themselves for the same.” And albeit the Lords in England, on the ground of Perrott’s avowal, ordered the surrender of the lands by Courtney on March 25, 1593, yet within four years, “when all the passages of this business were recent and fresh in memory” by their letters in 1597, the Lords “left those under whom the said Courtney claims, to take their remedy by law, concerning the said lands; so as the said last reason is likewise fully answered.”

It also appears that general surveys having been made of the plantation lands of Munster by the Queen’s officers, and particulars delivered to Sir Henry Oughtred, grandfather to the said Courtney, under whom he claims, for the seignory intended to be passed to him by the Queen (wherein the lands in question were included), the said Morris FitzThomas procured a stay thereof; and yet by order of the Privy Council in June 1590, the patent was passed, anno 35 Eliz., reserving 72*l.* yearly to the Crown, and directions were given for settling the patentee in possession; which was after the Act of Attainder and the order of Sir Thomas Norris, and after full examination of the point of Sir John Perrott’s word. It also appears, both by proof of witnesses and by a book entitled *Paccata Hibernia*, published by Lord Carew, late Earl of Totnes, then President of Munster, “that the said Morris FitzThomas joined in a later rebellion in Munster, with a new titular Earl of Desmond, and with him

* A list of the eight will be found in the Calendar of *S.P. Ireland*, 1586-1588, p. 231, but no account of the proceedings.

after joined in the great rebellion of Tyrone, and spoiled the country, after those favours conferred on him which are formerly mentioned, for which rebellion he procured his pardon afterwards." Upon all which matters, it being conceived that when the Lords sent their letters in 1610, these things were not made known to them; and there having been no execution of their order, nor any surrender made by the old patentee or his assignee; nor any satisfaction given to him, as it seems by the former orders was intended; "and for that the said Morris FitzThomas entered into rebellion after his father's attainder, which renders his son the more incapable of that favour which he now desires . . . in prejudice of his Majesty, who is justly entitled by double matter of record, and in prejudice also of him to whom the said lands are, upon such mature advice and long stay, granted, being a deserving English undertaker, at a fee farm rent of 72*l.* per annum reserved to the Crown, which must be abated if the lands be surrendered as is desired: We therefore do not hold it reasonable that the said lands in question should be passed to the said Thomas FitzMorris Gerrald, who stands corrupt in blood, but as agreeable to honour and justice do hold it fit to leave all parties for trial of their rights to the common law." *Four large sheets of paper, written on both sides.*

THOMAS FITZMORICE FITZGERALD and GEORGE COURTNEY.

[1635, October?]*—*A brief statement of the cause between the above, "as it stood proved" before the Lord Deputy on May 14, 1635. This paper is substantially the same as a brief sent to England by Lord Wentworth in October, 1635 (*see S.P. Ireland, Vol. 255, No. 57(1)*) but contains more details. As regards the Act of Attainder, the relation is fuller than in the decree given above. "It is affirmed by the Lord Chief Baron [Sir R. Bolton] that Sir Nicholas Walsh, *knt.*, being the speaker in that Parliament wherein Desmond and the said Thomas Cam were attainted, told him that that act could not pass the house except eight persons named . . . might be saved out . . . or that there might be a proviso therein inserted on their behalves, which could not be unless the act were sent back again into England. Whereupon Sir John Perrott, *knt.*, then Lord Deputy of the Kingdom, (that the act might presently pass) did on her Majesty's behalf undertake that those eight should be provided for, and thereupon that act was presently passed." *2 sheets of paper.*

Petition of SIR JOHN GIFFORD to THE KING.

[1636-7, February 9.]*—*Stating the arrangements made at the time of the marriage of Sir Robert Loftus, son and heir of Lord Chancellor Loftus, with Elinor Ruisshe, petitioner's sister and daughter of Sir Francis Ruisshe; complaining that the Lord Chancellor has not performed his part of the agreement, and praying that—as petitioner can only seek relief in course of

equity in the Chancery of Ireland, where his Lordship would be both judge and party—his Majesty will be pleased to give orders to the Lord Deputy and his Council to hear and judge the cause. Also that the Chancellor and his son, Sir Edward, may be ordered to produce their deeds, to answer upon oath concerning their estates, and to forbear making any further deeds or conveyances until the cause has been decided. 1 p. [*The statements made in this petition being repeated in Gifford's petition to the Council of March 7, 1636-7, are recited in the decree in Council of Feb. 1, 1637-8, printed in extenso in the Hist. MSS. Commissioners' Report on the Marquess of Drogheda's MSS., Report IX., Appendix II., p. 303. The date here given is that of its presentation to the King.*]

CHARLES I. to the LORD DEPUTY and COUNCIL OF IRELAND.

1636[-7], February 9.—Sending them Sir John Gifford's petition to himself, reciting the points of the case, and desiring them to hear and end it. The Lord Chancellor and all other parties are to produce their deeds and conveyances, and no further conveyances are to be made until the cause has been judged. *Sign Manual, countersigned by Secretary Coke. Copy. 1½ pp.*

Petition of SIR JOHN GIFFORD to LORD DEPUTY WENTWORTH.

1636[-7], February 27.—Complaining that, although his cause against the Lord Chancellor and Sir Edward Loftus has been recommended by the King to the Lord Deputy and Council of Ireland, he “cannot get any counsel against the said Lord Chancellor;” and praying that Mr. Serjeant [Sir Nathaniel] Catlyne, Mr. Solicitor-General, Mr. Plunkett and Mr. Sambach may be required to be of his counsel in the said cause.

Underwritten:

Order, signed by Wentworth, requiring the above mentioned gentlemen to be of counsel with the petitioner, according to his desire. Dublin Castle, Feb. 27, 1636.

ANSWER OF ADAM, LORD VISCOUNT LOFTUS,
Lord Chancellor of Ireland.

1636[-7], March 14.—Answer to Sir John Gifford's petition, acknowledging certain of the statements therein made (and especially his having received 1,750*l.* as the said Elinor Ruisshe's marriage portion), but denying others, and declaring that he never bore any ill-will to his son, Sir Robert, who has always demeaned himself dutifully to his parents “except in one particular wherein he was misled by the ill-persuasions and importunities of others.” Hopes that what he has said may induce the Lord Deputy to believe “that the possession of an inheritance (solely acquired by the care of a father) will be more safe and secure . . . in his hand than it can be in the hand of any other succeeding person whatsoever.” 2 pp. [*The several answers to Gifford's statements are recited in the decree mentioned above.*]

ORDER IN THE COUNCIL OF IRELAND.

1636[-7], March 16.—Being ordered by his Majesty's letters of Feb. 9 to hear and end the cause between Sir John Gifford and the Lord Chancellor, and Sir George Wentworth (Sir John Gifford's brother-in-law), having exhibited a petition from Sir John to this Board on the 7th inst.; Sir Philip Mainwaring, Secretary of State, was directed to repair to the Lord Chancellor with a copy of the said petition, and to signify to him that it was thought fit that he should answer thereunto, the Lord Deputy having already acquainted him with his Majesty's letters, the better to prepare him to make answer. On the 14th inst., his Lordship delivered in an answer, but Sir George Wentworth, finding that it was not an answer to the petition delivered to the Board, but only to the "summary petition" previously sent to the King, and that it was not a full answer either to the one or the other, did, on the 15th inst, wait on his Lordship, gave him in writing several exceptions, and prayed him to be ready to-day with a full answer. His Lordship promised that his counsel should be ready, yet neither he nor his counsel have appeared, although Sir Thomas Meredith was sent to let him know that he was waited for. Whereupon, the Board having taken the matter into consideration, and finding the Lord Chancellor's answer imperfect in many respects [*enumerated*], and being informed that he intends suddenly to depart from Dublin, it is ordered that the said Lord Chancellor shall, by the 23rd inst., put in a full and perfect answer, and that in the mean time he is not to leave the town. All deeds are to be produced, and no further conveyances made until the cause is adjudged. Furthermore, it is ordered that Sir Edward Loftus, second son of the Lord Chancellor, shall, by the first of next Easter term, personally appear to answer the complaints made against him and to declare what conveyances of lands he has received from his father. *3 sheets of paper. Signed: Wentworth (at the top), Ja. Armachanus, Valentia, R. Dillon, Cromwell, Ad. Loftus, Chr. Wandisforde, Jo. Borlase, Ph. Mainwaring, Tho. Wenman, Wm. Parsons, Gerrard Lowther, Ri. Bolton, Geo. Radcliffe, Rob. Meredith.*

LORD CHANCELLOR LOFTUS.

1636[-7], March 23.—The Lord Chancellor's second answer, "as well to the petition of Sir John Gifford, knt., exhibited to his Majesty, as to a second petition exhibited by him at the Council board here." [*The substance of this is given in the decree of Feb. 1, 1637-8, already mentioned as amongst the Marquess of Drogheda's papers. See p. 159 above.*]

The LORD DEPUTY AND COUNCIL OF IRELAND.

1637, March 30.—Decree—as the Lord Chancellor's answer of March 23 last to Sir John Gifford's petition to the Board "is not a full and perfect answer . . . but short, and defective in several particulars" [*enumerated*].—that the Clerk of the Council

is to strike out the title of the said answer, saving the words "The answer of Adam, Lord Viscount Loftus, Lord Chancellor of Ireland to the petition of Sir John Gifford, knt.," and that the Lord Chancellor shall put in a perfect answer, and shall, by the middle of next term, either produce the deeds and writings in his possession or show cause why he cannot do so. Also, that he shall pay costs to the plaintiff "for the former insufficient answer." *Signed by Wentworth (at the top) and six members of the Council. 5 sheets of paper.*

SIR JOHN COKE to LORD DEPUTY WENTWORTH.

1637, April 25. Whitehall.—"It displeaseth his Majesty very much that the Lord Chancellor, so great and ancient a judge, and who best understandeth how to make perfect answers: should now, by three imperfect answers to your Lordship and the Council Board, shew disrespect to justice, and so much dishonour both your Lordships and the State. For prevention therefore of further public scandal to the government by so eminent an example of contempt, his Majesty thinketh fit and requireth your Lordship (if he persist in disobeying the orders of your Lordship and the Lords) to take the Seals from him: and then to proceed with such compulsory means as law and justice do require. And yet his Majesty calling to mind his Lordship's former services, and considering his old age, is graciously pleased, if he conform himself by answering more perfectly and by obeying and performing the decree that shall be made thereupon: then your Lordship may restore the Seals unto him, which, if he continue in his contempt, will be otherwise disposed of. For the plantation of Ormund, his Majesty requireth your Lordship to proceed and not to delay, but go on with the title of the Crown, assuring you that the Earl of Kennoule quitteth his pretence; so as that shall be no clog to the business, which so much importeth his service. And these being the two points which I had to answer at this time, I take leave." *Only the closing words and the signature in Coke's own hand. 1 p. [Printed in Stafford's Letters and Despatches, ii., 69.]*

LORD CHANCELLOR LOFTUS.

1637, April 25.—The Lord Chancellor's further answer. 6 pp. [*The substance given in the decree of Feb. 1, 1637-8. See p. 159 above.*]

ORDER IN THE COUNCIL OF IRELAND.

1637, May 16.—The Lord Chancellor's answers still proving defective, he is to put in a perfect one by the 23rd inst. And whereas, contrary to the orders of the Board of March 30, the said Lord Chancellor departed forth of town on April 4, and put in no further answer until his return from his country house on April 25, which contempt is aggravated by his being the Prime officer of the Crown next the Deputy, "and who by the obligations of honour and trust beyond others laid on him by

his Majesty ought to give good example to others," yet, out of respect to his Lordship, the Board is pleased to pass by his contempt, "with a reprehension only for his error therein." As the plaintiff has been at great charges, the Lord Chancellor is to pay him 20*l.* English, costs, and (by consent of the said Chancellor) he is to view or copy all writings delivered to the Clerk of the Board.

And whereas Sir Edward Loftus has not appeared according to the orders of the Board, letters are to be written to Secretary Coke to move his Majesty that the said Sir Edward may be sent by a messenger from thence to answer his contempt and perform the said orders. *Three sheets of paper. Signed: Wentworth (at the top), Thomond, Ant. Midensis, Moore, Laur. Esmonde, R. Dillon, W. St. Leger, Wm. Caulfeild, Ge. Shurley, Wm. Parsons, Gerrard Lowther, Ri. Bolton, Chr. Wandesforde, Ph. Mainwaring, Cha. Coote, Edw. Trevor, Geo. Radcliffe, Rob. Meredith, A. Tyringham.*

LORD CHANCELLOR LOFTUS.

1637, May 23.—Deposition upon oath, by the Lord Chancellor, that he promised by his letters to settle lands of the yearly value of 600*l.* sterling upon his son, Sir Edward Loftus; and that there is not in his own custody, or in the custody of any other, to his knowledge, any agreement made by him or by his direction, concerning Sir Edward's marriage, whereby any of the lands mentioned in the Lord Deputy's order of March 3 have been estated in any way upon Sir Edward, other than such estates as are mentioned in the deed delivered by defendant to the Clerk of the Council. $\frac{1}{2}$ p. *Certified copy.*

Same Date.—The Lord Chancellor's further answer. $5\frac{1}{2}$ pp. [*The substance given in the decree of Feb. 1, 1637-8. See p. 159 above.*]

Annexed,

A schedule of Lord Loftus's lands, &c. at the time of Sir Robert's marriage; and also of such as have been purchased since the marriage. 1 p.

ORDER IN THE COUNCIL OF IRELAND.

1637, June 6.—The Lord Chancellor having made oath on May 23 last that he promised to settle lands of the yearly value of 600*l.* on his younger son, Sir Edward Loftus, but without setting forth what lands he promised to settle, or how, it is ordered (on the voluntary offer and consent of the said Lord Chancellor), that he shall supply upon oath the defects of his former affidavit, and either deliver up "the deed made of Cry Eustace unto the said Sir Edward, dated 24 March, 1635-6," or make oath that he cannot find it. And neither the Lord Chancellor or Sir Edward are to take any assurance from Sir Robert for the lands of Cry Eustace until the Board takes further order in the matter. *Signed by Wentworth (at the top), and by seven members of the Council. 2 sheets of paper.*

ANSWER OF SIR EDWARD LOFTUS.

1637, June 27.—In regard to the negotiations and arrangements made at the time of Sir Robert Loftus's marriage, as also concerning what lands were held by his father at that time, defendant is wholly ignorant; nor does he know who were his father's feoffees and lessees. And he knows of no estates made by his father to his (defendant's) use, save the lands of Cry Eustace, and a deed of the lordship of Monasterevan, for the better securing the said lands of Cry Eustace, until Sir Robert Loftus, who was intrusted with the said lands, should execute an estate thereof to defendant. Also his father purchased a reversion of Fontslan and gave it in trust for himself during his life but with reversion to defendant, and promised defendant's wife's father, since dead, to add 600*l. per annum* to defendant's estate.

These estates were never desired by defendant, but "proceeded merely" of his father's free disposition, and immediately on receiving the deeds, he re-delivered them to his father, promising to relinquish the estates if desired (they being merely upon trust); which deeds are now in the hands of the Clerk of the Council. And defendant is ready to relinquish all claims to the said lands, so that his father may as fully dispose of them as if no conveyance had been made. *Certified copy.* 2½ pp.

SIR JOHN GIFFORD.

1637, June 29.—The replication of Sir John to the several answers of the Lord Chancellor, declaring that he will "aver, justify, maintain and prove" all he has said in his petitions to be true, certain and sufficient; and that the defendant's answers are very "untrue, uncertain and unsufficient." *Certified copy.* 1 p.

ORDERS IN THE COUNCIL OF IRELAND.

1637, October 24.—That the Lord Chancellor and Sir Edward Loftus shall answer more fully to the plaintiff's interrogatories. *Signed by Wentworth and nine members of the Council.* 3 pp.

1637, November 23.—That the Lord Chancellor deliver up all rent books, rolls, &c. concerning the lands in question to the clerk of the Council, and that if the plaintiff cannot prove the value of the lands, he may have a commission to ascertain it. *Signed by Wentworth, Ormond and nine others.* 1½ pp.

1637, December 5.—Granting the Lord Chancellor and Sir Edward Loftus (upon motion of Mr. Floyd, their counsel) a further time for the examination of their witnesses, albeit this must not be "drawn into example" hereafter, as it is held a matter of ill example that defendants should forbear to exhibit interrogatories and defer to examine their witnesses until the plaintiff's witnesses have all been examined and most of them examined on the defendant's cross interrogatories. *Copy.* 1 p.

1637, December 19.—Appointing Tuesday January 23, for the hearing of the cause. $\frac{1}{2}$ p.

Decree of the LORD DEPUTY and COUNCIL.

1637[-8], February 1.—Setting forth the cause of Sir John Gifford *versus* the Lord Chancellor and Sir Edward Loftus, and decreeing that the Lord Chancellor shall estate upon Sir Robert Loftus, during the life of his father, the lands and house of Drumnore and 200*l. per annum*; shall settle for the Lady Elinor's jointure lands of the value of 300*l. per annum*, and shall settle the house of Monasterevan, "well-furnished," and lands worth 1,200*l. yearly*, upon Sir Robert. Commissioners are to be appointed to decide upon the value of the lands, and the lands of Cry Eustace (being purchased in Sir Robert's name, and the Lord Chancellor having promised Sir Francis Ruisshe, "if it pleased God to spare him life and health," to increase his son's estate) are not to be counted as part of the 1,200*l.* if it can be made up otherwise. *Signed*, Wentworth (*at the top*), Ormond-Ossory, Ad. Loftus, Gerrard Lowther, Ri. Bolton, Ge. Shurley, Jo. Borlase, Wm. Parsons, Chris. Wandesforde, R. Dillon, Ph. Mainwaring, Cha. Coote, Geo. Radcliffe, Rob. Meredith. *Two large sheets of parchment fastened together.* [*This decree, which is often referred to in the long controversy, is printed in extenso (from a copy) in the Hist. MSS. Commissioners' Report IX., Appendix II., p. 303.*]

ORDERS in the COUNCIL of IRELAND.

1638, April 13.—For a commission to be issued to Robert, Lord Dillon; Sir Adam Loftus, Vice Treasurer and Treasurer at Wars; Sir Charles Coote, bart.; and Sir Robert Meredith, Chancellor of the Exchequer (nominated commissioners in this behalf), to appoint a time and place to examine witnesses concerning the rents and profits of the lands held by the Lord Chancellor at the Michaelmas after the marriage of Sir Robert Loftus. *Copy.* 1 p.

Same date.—For a like commission to Sir James Ware and Sir Philip Percivall, to examine witnesses concerning the profits of Drumnore and the tithes of Rathmichell. *Copy.* 1 p.

The LORD CHANCELLOR's proceedings touching
JOHN FITZGERALD.

1638, April 19.—In September, 1637, Mary FitzGerrald, wife of Piers FitzGerrald, exhibited a petition to the Lord Chancellor at his house at Monasterevin against John FitzGerrald, executor of Sir James FitzGerrald, late of Ballisnannan, co. Kildare, deceased, for an annuity of 100*l.* pretended to be due to her by Sir James in his life time out of the said town and lands of Ballisnannan as her jointure; and therein further complained that the said John was carrying away the goods, chattels and

corn from Ballisnannon without satisfying the arrears of her jointure. Upon which petition, the Lord Chancellor, by an order dated September 12, 1637, required the said John to appear before him and answer the complaint, who accordingly appeared and denied the petitioner's demand, declaring that the said corn and goods were all that was left him by the testator to discharge his "debts and funeralls." Both parties were then ordered to attend upon his Lordship, and to bring their witnesses, whereupon John FitzGerrald returned home, removed his corn out of the fields into the haggard, to preserve it from spoil, and on September 22, attended the hearing at Monasterevin. Being destitute of counsel and not having his witnesses there, he prayed for respite of the hearing until his Lordship's return to Dublin, which his Lordship not only denied, but, upon hearing that he had taken away the corn, committed him to the care of his pursuivant, George Starky, until he should give security to abide such order as his Lordship should make in the Court of Chancery.

On October 19 warrant was issued to the sheriff of the county to seize the corn, but with respite of six days for John FitzGerrald to produce his discharges and call his witnesses; for which end he was allowed to go in person, upon bond to the pursuivant for his return. But his principal witness, Edward Dongan, esquire, could not then appear, whereupon FitzGerrald again prayed the Lord Chancellor to defer the hearing, at the same time humbly declaring that he would not consent to any private order made by his Lordship in the cause, but would give security that the corn should be forthcoming, and that he would abide any decree made in the Court of Chancery. His Lordship refused to defer the cause, and returned FitzGerrald to his former restraint. At the end of the six days the sheriff was ordered to sell the corn, to pay 4*l.* costs to the plaintiff, and to lodge the rest of the money in the Court of Chancery, pending the final hearing of the cause; and if the corn did not bring in 100*l.* he was to seize and sell so much of defendant's goods as would make up the sum; by virtue of which order the sheriff seized the corn.

The defendant, still in restraint, came to Dublin, and while in prison there, moved the Lord Chancellor in court by the Attorney-General that the plaintiff, Mary FitzGerrald, might exhibit her bill in Chancery against him, whereunto he would answer, and would give security to perform what decree was given against him.

To this the Lord Chancellor answered that he had formerly summarily proceeded in the cause, and that FitzGerrald stood in contempt of his order, and therefore refused to grant the request. About the end of last Michaelmas term, Edward Dongan, esquire, waited on the Chancellor, and showed him a letter from Piers FitzGerrald, dated August 25, 1637, in which the said Piers declared that the next spring he intended to take his journey towards home, and would be directed by Dongan's advice, and that he had written to his wife to do nothing in regard to the estate but what Dongan should advise. The said Dongan

also told the Lord Chancellor that if there were any power of suit, it was in him (Dongan), as he had a letter of attorney from Pierse FitzGerrald, and that the use of the jointure pretended to by the plaintiff was in the said Pierse during his life "as cestique use"; to which his Lordship answered that if it were so, he was mis-informed. FitzGerrald then petitioned the Lord Deputy, who gave him a reference to the Lord Chancellor, praying him to give such order therein as should be just and equal, which reference FitzGerrald presented to the Lord Chancellor at his house in Dublin, the second day of Hillary term last. His Lordship, having read it, said (as FitzGerrald and William Wogan depose) "'Sirrah, do you think to come off with petitioning to the Lord Deputy?' The said FitzGerrald then answered his Lordship he could not otherwise choose, being fourteen weeks in prison without remedy. The Lord Chancellor then said it should be a just and equal order to keep the said FitzGerrald in prison fourteen weeks more, and further said to the said FitzGerrald: 'Sirrah, I'll commit you to the Castle'; and afterwards called to Starkey, his pursuivant, and bade him carry the said FitzGerrald to the Marshalsea of the Four Courts, and after, upon entreaty of the said pursuivant that he might keep him until he had paid him his fees, his Lordship commanded the said pursuivant to carry away the said FitzGerrald, and gave him strict charge not to permit him to go abroad." Wherefore he has been kept in a stricter restraint than before.

The Lord Chancellor gave no answer or account to the Lord Deputy, and sent a further order to the sheriff of co. Kildare, to repair to FitzGerrald's dwelling house, seize corn and goods worth a hundred pounds, and deliver the same to the plaintiff, taking her bond to deliver them to John FitzGerrald if he should recover them in course of law or equity.

On March 2, FitzGerrald again petitioned the Lord Deputy, complaining of his continued restraint, and that, being one of the collectors of the subsidy for co. Kildare, he was thereby prevented from collecting it, which petition was by the Lord Deputy's orders, read at the Council Board, on March 13, in presence of the Lord Chancellor, who then declared that he had never received FitzGerrald's petition or the Lord Deputy's order thereupon, and that the reason of FitzGerrald's committal was his contempt in not obeying an order to restore a rick of corn which Mary FitzGerrald had distrained for her jointure and which the said John FitzGerrald had afterwards taken away.

On consideration of his Lordship's answer and proceedings, and of his Majesty's Book of Instructions, published in 1632, for ordering and settling the courts and course of justice in this realm, it appeared "that the distress was unlawful, the suit and proceedings therein illegal and against his Majesty's said Instructions, and the imprisonment of the said John FitzGerrald unjust;" wherefore it was ordered that FitzGerrald should be released, but out of civility to the Lord Chancellor, it was left to him to give the order of release, that it might appear to be his own act. "Upon this occasion, the Lord Deputy . . . made

known to the Lord Chancellor at the Board that he had observed by frequent complaints made unto him, that his Lordship did not conform himself to his Majesty's said Book of Instructions, and that, howsoever the Lord Deputy was not willing to look back, yet he admonished him that thereafter he would conform himself" thereto, or else the Lord Deputy could no longer forbear to acquaint his Majesty therewith. The Lord Chancellor alleged that he "did not entertain any causes upon such petitions but only where the debt and damages were under thirty pounds," and further declared that for the future he would desist from admitting any suit upon any such petitions at all.

Yet all this notwithstanding, he neither enlarged FitzGerrald nor revoked his former order, but made another order, reciting that whereas John FitzGerrald, for several and high contempts against several orders, was lately brought in by the serjeant-at-arms, in whose custody he still remained, his Lordship was content to remit the contempts, and therefore required the serjeant-at-arms to release FitzGerrald, on payment of the due fees, provided that he entered into bond with sufficient security, to abide and perform such orders as the Court of Chancery should lay down on hearing the case: Whereas he was never attached by the serjeant-at-arms, nor in his custody, neither was there any cause depending against him in Chancery, nor could he get his cause legally commenced there, although he had often moved the Chancellor thereto. "And so the said FitzGerrald, not willing to pay those great fees of the serjeant-at-arms which were not due, nor to enter the said security which was not ordered, remained still a prisoner."

After which, the sheriff of co. Kildare, being pressed by Mary FitzGerrald to execute the Lord Chancellor's order, seized John FitzGerrald's corn and cattle and delivered them to the said Mary.

On March 22, 1637[-8], John FitzGerrald again petitioned the Lord Deputy, complaining that, by the Lord Chancellor's directions, the sheriff of co. Kildare had broken the windows of his barn, seized his corn, taken up both his ploughs, and would not permit his corn which was unharrowed to be harrowed, to his utter undoing; and praying for relief and for release from his imprisonment, where he had now remained twenty-two weeks. Then the Lord Deputy and Council (much marvelling that the Lord Chancellor had not released FitzGerrald according to their orders) ordered his release without paying any fees, and also that he, the sheriff, the pursuivant and others should be examined.

On April 19, FitzGerrald exhibited a new petition to the Lord Deputy, complaining that the pursuivant extorted from him nine pounds ten shillings for fees, that fifty barrels of his corn were yet detained and in danger to be rotted for want of turning, that his three garrans were also detained, that for want of the straw of the corn five of his oxen were starved and dead, and that therefore he humbly prayed restitution of his barn, corn and

garrans, and of the money extorted by the pursuivant, with damages for his injuries and losses.

Annexed,

Observations upon the Lord Chancellor's proceedings as expressed in the narration of John FitzGerrald's cause :

1. That—whereas it is directed by his Majesty that Chancery proceedings are to be “upon bill and answer, and that upon record,” and not upon petition or motion, and that the Chancery is not to intermeddle with matters determinable at the Common law—yet his Lordship has not only proceeded wholly contrary to these directions, but refused FitzGerrald's request to be allowed to proceed by bill in the ordinary way.
2. That his Lordship allowed Mary FitzGerrald, a *feme covert*, to sue in her own name, without her husband, although informed of the unlawfulness thereof both by her husband's attorney and by the Attorney General.
3. That Mary FitzGerrald's petition was for a hundred pounds, “which is a fineable sum,” and his Lordship's order for a hundred and four pounds, whereas his Lordship affirmed at the Board that he proceeded upon paper petitions only for small sums under thirty pounds.
4. That John FitzGerrald being charged only as executor, the Lord Chancellor yet ordered the debt to be levied on his own goods if there were not sufficient of the testator's, which is contrary “both to the law and legal equity, there being no *devastavit* or other cause proved so to charge him.”
5. That although FitzGerrald obeyed the Lord Chancellor's orders, and only put the corn into his haggard to preserve it, as he lawfully might, yet this was taken as so high a contempt that he was imprisoned for it, and so kept for twenty-two weeks, notwithstanding his motions and petitions and the orders of the Lord Deputy and Council.
6. That the Lord Chancellor heard the cause in his own house in the country “without replications, rejoinder or examination of witnesses,” refusing to defer it until his going to Dublin, and not even calling in the defendant, then a prisoner there.
7. That upon the Lord Deputy's referring FitzGerrald's petition to him, and praying him to give just order thereon, the Lord Chancellor gave no regard to the reference, but reproved FitzGerrald for petitioning the Lord Deputy, and ordered him into stricter restraint than before.
8. That the Lord Chancellor gave no answer or account to the Lord Deputy, but continued his proceedings in contempt of his Lordship's reference, ordering the sheriff to seize the corn and FitzGerrald's goods, and to pay the money to Mary FitzGerrald.
9. That in spite of John FitzGerrald's affidavit, the Lord Chancellor denied the receipt of the Lord Deputy's

reference, and when ordered by the Council to release FitzGerrald, only made an order that he remitted the prisoner's contempt and desired the serjeant-at-arms to set him at liberty, on payment of his fees, and provided he gave bond to perform the orders of the Court of Chancery, whereas he was never in the custody of the serjeant, and had no cause depending in Chancery, nor was it the intention of the Board that he should pay any such fees or enter any such security.

10. That the Lord Chancellor did not revoke his orders to the sheriff, who accordingly seized the corn and some of FitzGerrald's goods after the order for his release was given by the Lord Deputy, enforcing FitzGerrald, who was still in restraint, to appeal again to the Lord Deputy.
11. That it was decided at the Council that the Lord Chancellor's order for FitzGerrald's release was not in conformity with the order of the Board, but "under show of enlargement, continued his restraint."
12. That his Lordship's contempt of the order of the Lord Deputy and Council, and neglect returned "unto that fair respect given to his Lordship," enforced them to release FitzGerrald themselves, "which might have been done by the Lord Chancellor himself with less noise and notice of the people," and also forced the Council to enter into further consideration of his contempt.
13. That all this notwithstanding, the Lord Chancellor gave no order for restitution of FitzGerrald's goods, and that FitzGerrald had again to petition the Lord Deputy, complaining thereof.
14. That the Lord Chancellor's allegation that Mary FitzGerrald had distrained the said corn gives no colour to his proceedings, as such distress, if any such were, was unlawful.
15. That the Lord Chancellor, in his order of February 5, 1637[-8] recites several orders as conceived in the Court of Chancery on the plaintiff's behalf, and that the defendant in contempt thereof had taken away his corn, whereas no such orders were conceived, unless "those orders upon those paper petitions be orders of that Court," and the defendant had often moved "to have the cause preferred by bill into the Court of Chancery, and could not obtain the same." 16½ pp.

THE LORD DEPUTY AND COUNCIL OF IRELAND to the KING.

1638, April 20.—Announcing that by the entire votes of all the Council they have sequestered the Lord Chancellor from sitting at the Board, and have commanded him to deliver up the Great Seal. *Signed by Wentworth and seventeen members of the Council.* [A contemporary endorsement calls this a copy, but it is rather a duplicate, as all the signatures are autograph. In writing to the King, Wentworth signs at the end, with the others, not (as he

usually does) at the top. This letter is printed in "Strafford's Letters and Despatches" ii., 160; and also in Report IX. Hist MSS. Commissioners, Appendix ii, p. 295.]

The LORD DEPUTY and COUNCIL to MATHEW MAINWARING, Esq.,
Constable of Dublin Castle.

1638, April 21.—Warrant to take into custody "our very good Lord, the Lord Chancellor," and to keep him until the King's pleasure be known, or further directions be given by the Board.
Certified copy. 1 p.

The proceedings of the LORD DEPUTY and COUNCIL
concerning the LORD CHANCELLOR.

1638, April 19-26.—On April 19, John FitzGerrald presented his second petition to the Board, and the Lord Deputy acquainted them that—albeit on March 13, he had admonished the Lord Chancellor to conform himself to the King's Instructions for ordering the Courts of Justice, and the Lord Chancellor had then declared that he had heard no causes on petition but such as were less than 30*l.*, and that in future he would admit none such at all—yet since March 13, his Lordship had "entertained several suits on such paper petitions and proceeded in them, whereof the Lord Deputy gave several instances." The Lord Chancellor thereupon justified his proceedings, "and affirmed that he would still do it, saying 'take that and take all,' that he was bound by his oath to do it, that no man should depart from the Chancery without relief, using the words: *nemo recedat a cancellaria sine remedia.*

"The Lord Deputy then told him that he was not bound by his oath to break the King's Instructions; that in so strict a construction of that rule, his Lordship might take cognizance universally of all causes, that then there needed no other courts of justice; that the remedy of the Court of Chancery was upon a bill filed in court, in causes proper for the cognizance of that court, in which cases no man ought to depart without remedy, but not on paper petitions privately exhibited to his Lordship.

"The Board then considering the unlimited latitude of power assumed by the Lord Chancellor, in derogation of the King's Instructions, in breach of the Board's monition and in opposition to what he himself had said, held it necessary to debate privately, both on FitzGerrald's petition and on the particulars insisted on by the Lord Chancellor, and desired his Lordship to withdraw while the votes of the Board were in giving, whereon "he in the end retired."

It was then unanimously adjudged that the Lord Chancellor had committed several contempts against the King, the authority of the Lord Deputy, and the orders of the Board, and that "if it had been the case of any other man, the party ought to have been proceeded against in the Castle Chamber; yet in this case, considering the Lord Chancellor's age and the eminency of his

place," it was held fit that the whole cause should be remitted to his Majesty. The Lord Chancellor was then called in, and—whereas he had formerly been excused from kneeling, but with a resolution taken that neither he nor any other should be "so dispensed withal" in future—it was signified to him by the Clerk that he should kneel, yet he did it not, and when the Lord Deputy told him it was expected, "he answered that it was more than ever he saw done by a person of his quality, and it being again urged to him, he said he would not kneel, he would die first." The Lord Deputy desired him to consider that his kneeling was not to any person present, but to the King and his authority, and desired him to bethink himself until the next day, when he was to return at two o'clock and bring the Great Seal with him.

The next day, April 20, he appeared, but not before four o'clock, and again refused to kneel, declaring that it had not been required these hundred years from any of his rank and quality, until it was introduced by this Lord Deputy, "and that it was used only for great and grievous crimes, and that the Great Seal ought not to creep on knees and elbows to any subordinate person in the world." When asked for the Great Seal, "he answered that upon better consideration, he did not conceive that commandment to be a sufficient warrant for him to deliver the seal, for that he received the Seal immediately from the King, and not by deputation, and that to him only he was accountable for it, and to none else." The Lord Deputy then told him that he was not commanded to deliver the seal, but to bring it with him; and when asked whether he would do so if he had a warrant, he answered, "when I see the warrant, I will then tell you." On being asked what he considered a sufficient warrant, he replied, "a direction under the King's own hand and not else. The Lord Deputy then said: Then your Lordship will not otherwise bring it. His Lordship answered, No." Then several passages from the Lord Deputy's Commission and instructions were read to prove the authority invested in him by the King [*recited*]. The Lord Chancellor withdrew, and after the Board had had long debate and had voted, was again called in and once more refused to kneel. The Lord Deputy then told him that he was sequestered from the Board until his Majesty's pleasure was known, and delivered him a warrant, signed by himself and the Council, requiring him, on his allegiance, to bring and deliver up the Seal at eight o'clock next morning. He was also commanded not to exercise his office of Chancellor "until the King's pleasure known, or further order of the Board." The Lord Deputy intimated to him the great distractions which might arise to the subject for want of the Seal, whereby they might be hindered from the benefit of the King's protection and justice, and urged him next day to "keep his hour," and not make them wait for him two hours as he had done this day. The following morning he appeared, but did not bring the Seal, declaring that the warrant was not sufficient. Then he was asked to dictate his answers to the clerk, that there might be no mistake in the

recital of them, but to this he replied "there are now many here that heard it; and so many cannot be mistaken."

When it was demanded of him where the Seal was, he said, "it is in a safe hand," and when asked what hand that was, replied "the same hand to whom the King had committed it." He afterwards stated that it was in his house in Dublin, but would not say in which room.

After the reading over to him of the passages and his answers, the Lord Deputy asked him if there were any thing to be amended, but to this he was silent, and when asked to put his hand to them, he said "I crave your pardon." His Lordship then declared that he hoped the judges "had no hand in advising this course, for they knew well what belonged to the honour, rights, duty and custom of the Chancery; which his Lordship's words being again repeated by the Lord Deputy, the Lord Chancellor denied to have spoken the word 'duty,' and the Lord Deputy then affirming that his Lordship had spoken these words, the Lord Chancellor replied to the Lord Deputy saying, 'you wrest them.' Whereupon, the Lord Deputy professing that in the whole course of this business he had carried himself with as much tenderness and respect towards the Lord Chancellor as if he had been his father, his Lordship answered the Lord Deputy in these words, 'Sometimes you did and sometimes you did not.' In the end, his Lordship having retired, the Board voted and found the Lord Chancellor's contempts so highly aggravated" as that it was adjudged necessary that he should stand committed to the Castle until further order, or until the King's pleasure was known.

The Lord Chancellor was then called in (again refusing to kneel) and after the resolution of the Board had been declared to him, the Constable of the Castle (being called) was commanded by the Lord Deputy to provide for his Lordship's accommodation in all things, with liberty to have his servants and attendants about him, and to afford him the respect due to his quality and eminence. "The Lord Deputy then told him that he did once believe he should never have been able truly to have said that he was sorry his Lordship was lodged so near him; to which his Lordship answered that it was no great offence; it was neither felony nor treason, and it would easily be expiated."

On April 26, the Lord Chancellor sent a petition to the Lord Deputy, together with the King's letter of April 9, which, being read at the Board, it was conceived that there was an opportunity for the Lord Chancellor in some degree to redeem his error by making use of the King's letter to countenance his giving up the Great Seal; wherefore the Constable was sent for to wait on his Lordship to the Board, where, "when he came, he was told that it was expected he should bring the Seal. He answered, if he might have direction to seal his own licence, he would deliver it. After some debate, his Lordship withdrew, and at his return again . . . was told he should kneel. He answered, he ought not, while he was the King's Chancellor." Again the Lord Deputy demanded the Seal, but he said, not unless he might first seal

his own licence. He was shown the patents, writs, commissions, &c., which had been brought by the Clerk of the Hanaper, and were lying on the table waiting to be sealed, and was told that if he delivered up the Seal, any ill consequences must be answered by the Deputy and Council, but if he did not, and any ill consequence happened, he was to answer for it himself; to which he made answer that "he knew it would not be judged so elsewhere." His Lordship was then remitted back to the custody of the Constable of the Castle, where he still remains. 15½ pp.

Petition of LORD CHANCELLOR LOFTUS to the KING.

[1638, April].—Petitioner, who has served his Majesty and his Royal father for thirty years, was "on the 21st of this instant April" committed to the Castle of Dublin for refusing to give up the Great Seal to the Lord Deputy, which he conceived he could not do without betraying his trust, except by his Majesty's command. "Being very aged, and the prison very close and pestered with many prisoners," his health, if not his life will be endangered unless his Majesty graciously gives orders for his enlargement. *Two copies, certified by Sir Joseph Williamson as being* "a true copy of the original remaining in my custody as Keeper of his Majesty's Papers and Records for matters of State and Council." [See *S.P. Ireland*, Vol. 256, Nos. 86 and 87.]

Declaration by the LORD DEPUTY and COUNCIL.

1638, May 5.—"By his Majesty's directions for the ordering and settling of the courts and course of justice within his kingdom of Ireland, Article 18, it is provided that the Chancery proceedings be upon bill and answer, and that upon record in ordinary course, and not upon petition or motion without bill. And that the Chancery do not intermeddle with matters merely determinable at Common Law, in which law and equity do look one way, but do leave the same to the cognizance of the courts of law, to which they properly do appertain. And that the parties be called to answer only by ordinary subpœna and not otherwise.

"The Lord Chancellor obeyed this order for some time after his Majesty's pleasure was signified hither, but of late hath done otherwise, in so much as it appears that within the compass of a year last past many thousand suits and complaints have come before him upon petitions without bill, and more by ten for one than have been commenced by bill, in the ordinary course. And these suits by petition have been in cases determinable for the most part at the Common Law, as namely debts of all sums from 10s. to 100l. and upwards, and other actions of several natures, some belonging also to the Ecclesiastical Courts, as pre-contracts, etc. And in all these suits the parties have been called to answer not by subpœna but by warrant under the Lord Chancellor's hand, and for not appearing upon such warrants (and sometimes without any warrant of summons served on the defendants), the Lord Chancellor hath

sent men whom he appoints to be his pursuivants to apprehend some thousands in the last year, and thereupon multitudes of men have been attached and imprisoned with those his Lordship's pursuivants and not discharged till fees were paid, and commonly the debts bound to abide such order as his Lordship should set down.

"Article 21 commands that no order or injunction be granted forth of the Chancery to stay any suit at law, but upon a bill first preferred and the party served with process and answered the bill, unless it be in special cases where the party stands in contempt for not answering, or being served with process on his person, takes a *dedimus potestatem* in his favour to answer in the country. And that no injunction be granted upon any matter surmised in the bill which is directly traversed or denied by the defendant's answer.

"Upon perusal of the injunctions and orders on which they have been granted this last year, it appears that not every tenth injunction to stay suits have been granted according to this order, but many before any bill exhibited, some after an answer directly denying the surmise of the bill, and the most immediately upon serving of process upon the attorney of the querent at the Common Law, who commonly is made a defendant in the suit in Chancery, and before either the party interested is served or any of the defendants is in contempt or sues for a commission to take his answer, the injunction is issued.

"We have seen some particulars (and are informed of more) where the Lord Chancellor, upon a petition, hath referred the matter to persons nominated by the petitioner with a direction to the Sheriff to put in execution such order as those referees shall make by removing possession and levying money of the defendant's goods, which hath been done accordingly; and that before the defendant hath answered the petition, insomuch as in one case the possession hath been altered from the defendant to the querent and backwards three several times in less than a year, and in another case four or five several times within as little space, no suit depending all this while by bill upon record, but only on a paper petition.

"The Lord Chancellor hath granted several injunctions to the Ecclesiastical Court prohibiting them from granting administration of intestates' goods, where no bill hath been depending before him for that matter.

"We are informed of sundry other breaches of his Majesty's said directions (if the shortness of time would permit the examination thereof) which we conceive to be the more observable, in as much as his Lordship, in the time of his being Lord Justice with the Lord Treasurer, commanded his Majesty's said directions to be published in print, whereby he either shewed his intention to obey them, or was very ill advised to manifest to the world his wilful disobedience in his thus frequent and disorderly breach thereof." 2½ pp. [*For the Lord Chancellor's defence of his conduct, in answer to this declaration, see S.P. Ireland, Vol. 256, No. 93.*]

THE LORD DEPUTY and COUNCIL to SECRETARY COKE.

1638, May 8.—We send you two petitions lately exhibited to this Board, one in the name of Sir John Gifford and the other in the name of Robert Hartpoll esquire, both complaining that Sir Edward Loftus is lately departed into England, whereby they are like to sustain prejudice. The former has lately obtained an order at this Board against Sir Edward and the other has a suit depending at the Board against him, Samuel Powell and Robert Medcalf, for 3,300*l.*, pretended to be the mean profits of certain lands lately adjudged to Hartpoll against Sir Edward. The witnesses are examined and publication ordered. It is given out that Sir Edward “purposeth speedily to esloine himself forth of his Majesty’s dominions” to avoid the sentence already passed against him in Gifford’s case, and the performance of any sentence which may pass against him in Hartpoll’s cause. This his departure is a contempt against the authority of the Board, and a prevention of the execution of its orders; and also a contempt against his Majesty’s proclamation of Sept. 17, 1635, “whereby all the nobility and undertakers and others who hold estates or offices in this Kingdom (such persons only excepted as are employed in his Majesty’s service in England, or attend there by his special command) should reside here and not depart hence for England or any other place without the privity or licence of me, the Deputy. These several contempts are the more aggravated in the person of Sir Edward Loftus, in that, by his Majesty’s directions, he was in June last sent by a messenger from thence hither to answer his contempts of this Board.” Wherefore we pray you to move his Majesty that Sir Edward may be now again sent hither by a messenger, to answer his contempts and to render obedience to his Majesty’s justice in the two causes of these petitioners. *Signed by the Lord Deputy and fifteen others.* Copy. 2½ pp.

THE LORD DEPUTY and COUNCIL to LORD CHANCELLOR LOFTUS.

1638, May 8. Dublin Castle.—Sir John Gifford’s bill of costs, amounting to 171*l.* 15*s.* 4*d.*, has been reduced by the Board to 63*l.* 2*s.* 4*d.*, which sum his Lordship is desired to pay either to Sir John or his assigns. Copy. 1 p.

ORDER IN COUNCIL.

1638, May 29.—That the Lord Chancellor be not released from the custody of the Constable of Dublin Castle until he has paid Sir John Gifford’s costs, according to the order of the 8th of May. Copy. 1 p.

Petition of LORD CHANCELLOR LOFTUS to the KING.

[1638, June, beginning of.]—“Most humbly sheweth, that your Petitioner conceiving himself grieved by a decree lately made by the Lord Deputy of Ireland and Council there, in a cause which

concerned your Petitioner's whole estate and family, and support of that honour which your Majesty was graciously pleased to confer upon him, did heretofore by his humble petition appeal to your sacred Majesty for hearing the said cause, and besought your royal favour to come over for England, to prosecute the same.

"That although your Petitioner hath just cause to believe your Majesty's gracious inclination to grant so just a request, yet hath not your Petitioner been permitted to come over, but contrariwise hath since that petition preferred been imprisoned in the Castle at Dublin for six weeks last past, where he yet remaineth.

"That having been an old servant to your Majesty and your royal father, and his estate and liberty now taken from him, which cannot but affect him, and yet most sensible of the fear of your Majesty's displeasure, who hath lived hitherto in and by your favour :

"In all humbleness he prostrates himself at your royal feet, and instantly begs your grace and favour to be pleased to give a hearing to the cause so decreed against him, and the causes of this his imprisonment, for both which he humbly appeals to your sacred Majesty, and that he may have your Majesty's leave and direction to the Lord Deputy for your Petitioner's coming over into England forthwith, to prosecute the same, and what your Majesty shall be pleased to order therein your poor servant shall cheerfully submit unto, and as in duty bound ever acknowledge your Majesty's exceeding great favour to him herein." 1 p.

Copy, certified by Sir Joseph Williamson.

SIR JAMES WARE and PHILIP PERCIVALLE.

1638, June 4.—Appointing a day for the examination of witnesses concerning the Lord Chancellor's lands, at Sir James Ware's house in Castle Street, Dublin. *Signed.* 1 p.

ORDER in COUNCIL of IRELAND.

1638, June 7.—The Clerk of the Council to examine Sir John Gifford's witnesses concerning the time of the marriage of Sir Robert Loftus with Dame Elinor his wife. Notice to be given to the defendants. *Signed by Wentworth and nine others.* $\frac{1}{2}$ p.

ROBERT, LORD DILLON, SIR ADAM LOFTUS, SIR CHARLES COOTE and SIR ROBERT MEREDITH.

1638, June 9.—A like notice to that by Ware and Percivalle, *above*, the hearing to be at Lord Dillon's house in Damask Street, Dublin. *Signed.* 1 p.

SIR JAMES WARE and PHILIP PERCIVALLE.

1638, June 13.—Summoning the underwritten to be present at Sir James' house on the 20th inst., they being alleged by the plaintiff to be material witnesses on his behalf. *Signed.* $\frac{1}{2}$ p.

Underwritten :—

Daniell Murrey, Alexander Rochford, John Smith, Philip Boy, James Walsh, Esq., Mr. Symon Swayen, clerk, Mr. Henry Warren, William Harries.

Petition of SIR JOHN GIFFORD to the LORD DEPUTY and COUNCIL.

1638, June 19.—Has obtained a decree in behalf of Dame Elinor Loftus, his sister, and her children, against Lord Loftus and Sir Edward; but although Sir Edward was formerly in contempt and brought over by a serjeant-at-arms, yet now, to avoid execution of the said decree, he is gone for England again, and there liveth in secret, and intendeth to go for foreign parts, having (as is reported) given order for sale of all his lands and personal estate in this kingdom, so that nothing will be left on which the State can enforce his just conformity.

And the Lord Chancellor, although he doth lie in execution for non-performance of the said decree, and for payment of sums due to the plaintiff, yet, being near eighty years of age, doth (as is reported) endeavour to obtain his Majesty's leave to go to England, to avoid or at least delay the performance of the said decree, to the utter undoing of plaintiff's sister and her young son and daughter, if Sir Edward continue to absent himself and the Lord Chancellor die before the decree is performed.

Prays therefore that the Lord Chancellor's enlargement may not be signed until he has performed the said decree, and that a recommendation may be sent to the King, that Sir Edward may be punished for his bold contempt, and forced also to perform the decree. *Certified copy. 2 pp.*

The LORD DEPUTY and COUNCIL to SECRETARY COKE.

1638, June 19. Dublin Castle.—“By his Majesty's most gracious letters of the 6th of this month,* I, the Deputy, am appointed to license the Lord Chancellor to transport himself over with convenient speed, in regard his Lordship appealing thither in the particular case of not delivering up the Seal without special warrant under his Majesty's royal signature, and in some other points, his Majesty is graciously pleased to take the hearing thereof to himself, and to direct us to send over some person well instructed in the matters his Lordship is charged with.

“That his Majesty vouchsafeth to hear the late questions stirred on this side in the particular of the Lord Chancellor, is not only our very high contentment, but most earnest suit, also there being no other hand that is so well able to strengthen and sustain this state and government in the ancient, accustomed and necessary power and honour thereof, nor any other which can so fully vindicate our faith to his Majesty, our integrity towards the

* See *Strafford's Letters and Despatches*, ii, 176.

subject in the public administration of his justice. And considering his Lordship hath, under favour, endeavoured to impeach our equal proceedings, we do extremely press, and most thankfully acknowledge, this as a fit subject for his Majesty to magnify his justice by, either on us, or on the Lord Chancellor, and an infinite favour and honour to us all, the whilst, that his Majesty thus becomes our judge in the case.

"Instantly we dispatched over Sir George Radcliffe to attend his Majesty's pleasure, to the intent we might by him humbly crave to know upon what grounds the Lord Chancellor sets this appeal, or more properly review of these causes; what he denies and what he objects against our proceedings, that so we may understand what remains for us to prove or what to offer by way of answer and defence of our own just dealings in all now depending before us. Thus shall we be fully conformed and prepared to attend the final hearing of all before his Majesty, confessing there must (as we think) of necessity appear in the last resort a mighty boldness in what either his Lordship or we have affirmed to the King, concerning the merits of these controversies by his Lordship stirred amongst us.

"Nevertheless as to licensing the departure of the Lord Chancellor with convenient speed, we most humbly crave admittance to advise the [stay of] execution awhile in that point; in regard by his Majesty's letters of 19th February, 1636, we are commanded and authorised to the hearing of a cause stirred betwixt Sir John Gifford, plaintiff, and the Lord Chancellor and Sir Edward Loftus, defendants, and to see that our sentence be duly fulfilled and obeyed, and by his gracious letters of the 9th of April last, I, the Deputy, am required to cause a licence to be made for his Lordship's repair thither except he have some cause of moment depending before us here. Both which considered, give us cause to doubt all the interests and consequences of this cause were not then rightly and fully represented to his Majesty when these later directions were obtained.

"Nor do we conceive this other indeed than our express duty to stay and wait his Majesty's second ordinance before we go further in such a case, so as we trust this little pause will be verily judged in us an act of perfect obedience, fully warranted, nay indeed required of me, the Deputy, by an express article of those instructions I have under his Majesty's signature. A caution and liberty both given the Deputies forth of great wisdom and reason of state and several times practised, with very great advantage to the crown.

"Yet that it is just, honourable and requisite for his Majesty to resume to himself the final quieting these differences, wherein the prosperity and peace of these affairs, his own royal authority amongst us, cannot almost possibly be elsewhere more deeply concerned, is most willingly and joyfully assented and beseeched for by us all.

"The only difficulty is so to dispose of the means and ways for the carriage thereof as they may be brought entirely before his Majesty with preservation to the honour of this government,

with such security and reservation to the private right and interest of the parties as common justice is accustomed to provide for in these cases. And lastly with such clearness and certainty as may render them fit and prepared for his Majesty's royal judgment.

"The Lord Chancellor, it seems, endeavours to set a stay, a period, at once to all the proceedings of this Board, under the pretence and cover of an appeal to his Majesty, but that sure very improperly so termed and applied by his Lordship, considering the several nature of the matters in allegation against him, some whereof neither admit or can occasion an appeal.

"The Lord Chancellor stands charged before us, *for divers irregularities in the execution of his place, divers oppressions of the subject, and undue applications and wresting of decrees in Chancery and Castle Chamber, for the benefit of himself, children and other his favoured persons.* The complaint preferred on this side, the defence of his Lordship heard to part of these, all is entirely transmitted over to his Majesty without any formal judgment of ours thereupon, and the charge fairly read and made known by us to his Lordship the better to prepare him to his defence; what in this, we beseech you, can his Lordship appeal from? An appeal is from an act done, but here is nothing at all concluded, unless his Lordship will have the Lord Chancellor to be such a hallowed person as that it is a presumption, a crime, in the Deputy and Council, humbly to certify, or so much as to hear, any complaint made against him.

"His Lordship before us all carried himself personally towards the Lord Deputy in such a manner as we the Council were very much scandalized thereat, which particularly we certified in our former despatch, and to our seeming gives no ground of appeal without denying an apparent truth, known to us all, which we humbly beseech may not be allowed, but his Lordship rather ordered to give such present reparation to the dignity of the place in the person of the now Lord Deputy as to his Majesty's wisdom may thereupon seem fit and proportionable.

"His Lordship questioned and charged at the Board with grievous and foul misdemeanours, coming to answer in his private and natural capacity only, is required to kneel; with austereness enough replies he will die first.

"In this particular we humbly offer whether this appeal, as he terms it, ought to be admitted, or he much rather commanded to submit for so much, confess his error, and seek his pardon from this Board, where the affront was so rudely given and pursued.

"Where we cannot choose but observe how cautiously his Lordship endeavours to set the ground of his contempt, and consequently his committal, upon the not delivery of the Seal without special warrant, where, in truth, it was his Lordship's not kneeling, appearing at the Board charged criminally and there commanded to offer his defence in his private capacity; and for his obstinate refusing at first so much as barely to bring the Seal to the Board, being thereunto required by the express command of the Deputy and Council,

“Nor can his Lordship’s application over to his Majesty in that cause adjudged by this Board where Sir John Gifford is plaintiff, his Lordship and his son Sir Edward Loftus defendants, be properly called an appeal, as we humbly conceive, but rather indeed this process of his Lordship is, in the nature thereof, a suit to have the cause reviewed, which we all acknowledge most honourable and equal for the King to grant, and wherein we, wholly cast down, humbly submit all we have thought or done in this matter at his Majesty’s feet, and entirely wait upon his princely will and determination therein, with the greatest attention and reverence that is possible.

“A review then is sought for on all sides, only we crave such cautions be observed and kept as in all like cases are accustomed, and humbly desire leave to mention them, lest otherwise this cause might chance to trench in consequence very much upon the universal peace of these affairs, and due settlement of the regal power over this stirring and unruly people; and that the Lord Chancellor herein may conform himself to the ordinary rule of others, since we cannot conceive that place sets him, in the way of justice, out of or above the common condition of a subject.

“His Lordship stands amongst other things committed for his contempt in not performing this last mentioned decree passed against him for Sir John Gifford, and there, as we under favour take it, the complainant ought not, by the general rule of reviews, to be heard till he have first performed the order, and thereby purged his contempt, which is not hitherto at all regarded by his Lordship or anything performed which thereby is enjoined. Neither lands estated, jointure secured, nor payment made, or so much as any part deposited of those great sums of money decreed against him by the said order.

“And thus much we humbly conceive even common justice requires to be provided for, whether the consideration be applied to the private or public interest.

“For the private, if a departure otherwise conditioned be allowed his Lordship, and that his Lordship die before the cause be re-heard—which, the length of the journey and his great age weighed, may probably happen—Sir Edward Loftus in contempt on the other side already, exempt from any coercive power of this state, the party without hope of remedy loseth his money, no provision in certain for the wife and children of Sir Robert Loftus, and the heirs of the house disinherited, and disabled to support the honour; which, should it happen, we assure ourselves his Majesty forth of his goodness would not be well pleased, to find that such indirect intentions should prevail under the pretence and colour of sueing and attending his throne for justice.

“For the public, if any other term be yielded to, it is the way not only endlessly to trouble all the ministers on both sides, but even to fill the ears of his sacred Majesty with the causeless complaints and clamours of this people, for if they may once be admitted a review, before they first fulfil the orders made and set here by lawful authority, we on this side must look for no more obedience hereafter.

"But if suitors be held to this constant rule, so as they find they must first obey here before they can be heard there, it will be much more probable none will sue but such as have just cause of grievance and are able to manifest the iniquity of the sentence complained against, which observed, with humble confidence we believe very few complaints, or none at all, will be heard amongst us.

"The next difficulty we meet with is, that we well see not, how otherwise in the ordinary course of justice we can set his Lordship at liberty, being in execution for great sums of money at suit of the party, unless by consent or satisfaction; whereas the plaintiff, as appears by the enclosed petition, most earnestly moves his Lordship may not be enlarged till he yield conformity to the decree. A request we know not how with equality to deny, considering we all most humbly advise and desire his Lordship may so conform as that he shall nevertheless not thereby be concluded or debarred from any relief which his Majesty upon rehearsing of the cause may ordain for him. To which purpose we humbly conceive an expedient may be very easily found which may bring all parties equally safe and unprejudiced to his Majesty's final conclusion and sentence, where we must acknowledge the parties otherwise liable to that great mischief of losing altogether the fruit and benefit of their decree, without possibility to be set straight again at after. And so our fulfilling his Majesty's direction puts such a prejudice upon the parties, as our performance shall cast them into an inconvenience not to be cured, and so derive their misfortune from whence they sought their protection and safety; which is such a kind of failure in justice as we should be sorry might ensue the executing any command of his Majesty.

"Again, his Lordship being charged with foul misdemeanours as well as matters of private interest, wherein his Lordship's justifications or allegations ought to be heard and considered, it will be necessary and expeditious that there be some time commanded him to stay here, after he has his liberty, to the intent all may be better prepared and cleared for his Majesty's sentence upon the place, the objections and answers thus equally known and understood both to his Lordship and us before hand. By which means neither part can pretend to be surprised in any kind.

"And therefore have we dispatched Sir George Radcliffe first humbly to crave his Majesty will be pleased to give order that the Lord Chancellor before his enlargement may render himself a person capable, through his obedience to this State, to be heard there, without prejudice of the parties interested or diminishing from the honour of Deputy and Council, which we are bold to press the more forcibly, because we here upon the place foresee the certain and great hinderance the least check or contest of private persons, against their power and proceedings, doth in a trice bring upon his Majesty's affairs here, and how impossible it is to serve amongst this people with effect unless the authority and countenance of the ministers on this side be by all just means upheld to the uttermost.

"And then to desire that the Lord Chancellor may be ordered to put in his exceptions in writing to the injustice or irregularity of any our proceedings, and likewise of his Lordship's objections against all or any of us; and so delivered to Sir George Radcliffe for us, to the intent the more speedily to apply ourselves to his Majesty's full satisfaction and, we hope, the silencing of those differences; as being the most confident in the world our proceedings have been fair and moderate, and rather with favour than otherwise towards his Lordship.

"Finally we earnestly expect to have his Majesty's resolution as soon as may be, as those which are naturally inclined, with nothing so much delighted, as in effecting his Majesty's commands punctually and speedily, according to the tenor and true intent thereof. And wish all good success to this despatch, as to that whereon, in all our judgments, no less depends than whether, by the due and early correction of this one no-more-considerable person, we be set above our work in an easy and plain way of securing and establishing the happy peace of this kingdom, or through his impunity, his inflexible will be so much indulged, the bad humour of others so stirred, provoked and encouraged thereby, as shall render all the great services of the crown now in view much more difficult, and at every turn to be contested with us hereafter."

Postscript.—"We humbly desire that it may be observed that the Lord Chancellor hath personally expressed so much height and disdain in the whole carriage of this business, as he hath not sent any one petition to this Board for his enlargement or otherwise either before or since the sequestering of the Seal." *Signed:* Wentworth, R. Dillon, Ad. Loftus, Wm. Parsons, G. Lowther, R. Bolton, Ch. Wandesford, Jo. Borlase, Ph. Mainwaring, Rob. Meredith.

Copy, certified by Sir Paul Davys. 11 pp.

THE LORD DEPUTY AND COUNCIL TO SECRETARY COKE.

1638, June 26.—Praying Mr. Secretary to acquaint his Majesty that a petition has lately been presented to them by Samuel Powell, clerk,* complaining against the Lord Chancellor and Sir Edward Loftus, wherein, as regards Sir Edward, they can do no more than send it over, that order may be taken for sending Sir Edward to Ireland. *Copy. ¾ p.*

ORDER in the COUNCIL OF IRELAND.

1638, June 29.—That defendants shall rejoin to plaintiff's replication by Tuesday the 4th of July. *Copy. ½ p.*

THE LORD DEPUTY AND COUNCIL TO LORD KEEPER COVENTRY.

1638, June 30. Dublin Castle.—"Your Lordship may remember how we formerly writ to your Lordship concerning appeals

* The petition is amongst the State Papers, Ireland. Vol. 256. No. 101.)

from the Ecclesiastical Courts here to his Majesty in his Chancery of England, and of how ill consequence it is to his Majesty in his public government here and to his subjects in their private interests, that this subject should apply himself into England upon every occasion for that justice which he may have at home.

“Whereof also I, the Deputy, had conference with your Lordship at my last being in England, at which time your Lordship told me you would in such cases appoint delegates here upon the place for the ease and advantage of all parties, and desired to have the names of some able and fit men resident here, that from among them you might make such choice as your Lordship should think fit. We therefore send your Lordship here enclosed a schedule containing the names of divers able and sufficient persons here as well divines as common lawyers, civilians and others fit to be trusted in cases of that nature.” *Signed by Wentworth and eleven others. Copy. 1 p.*

Enclosing :

The Names of Delegates.

James [Usher], Lord Archbishop of Armagh.

Lancelot [Bulkeley], Archbishop of Dublin.

The Lord Dillon of Kilkenny West.

William [Bedell], Bishop of Kilmore.

John [Bramhall], Bishop of Derry.

Henry [Leslie], Bishop of Downe.

John [Atherton], Bishop of Waterford.

Mr. Vice Treasurer.

Lord Chief Justice of Common Pleas.

Lord Chief Baron.

Master of the Rolls.

Mr. Secretary Mainwaring.

Sir George Radcliffe.

Mr. Baron Barry.

Mr. Baron Hilton.

Serjeant Sambach.

Mr. Solicitor.

Mr. Attorney General.

Sir James Ware.

Dr. Reeves.

Dr. Cooke.

Benjamin Culme, Dean of St. Patricks.

Henry Tilson, Dean of Christchurch.

William Chappel, Dean of Cashell.

George Sing, Dean of Dromore.

James Margetson, Dean of Derry.

Robert Wilson, Dean of Fernes.

Hugh Cressy, Dean of Leighlin.

Edward Parry, Dean of Waterford.

Mr. Recorder of Dublin.

William Buckley, Archdeacon of Dublin.

Richard Howlet, Bachelor of Divinity.
Robert Forward, Chanter of St Patricks.
William Fitzgarrald, Clerk.
Mr. George Sherman.

CHARLES I. to the LORD DEPUTY and COUNCIL OF IRELAND.

1638, July 3. Greenwich.—Desiring them to allow the Lord Chancellor to come over to England, according to his appeal, but not until he has performed the decree of the Board and answered their charges against him. *Sign manual, countersigned by Secretary Coke. [Printed in full in Strafford's Letters and Despatches, ii, 179; and also calendared (from a copy), amongst the State Papers, Ireland, where, however, owing to a mistake in the copy, it is put to June instead of July.]*

Endorsed "In explanation of his Majesty's of the 6th of June."

The LORD DEPUTY and COUNCIL to the LORD KEEPER.*

1638, July 5.—“Edward Stanhopp, clerk, chaplain to the Most Reverend Father in God the Lord Archbishop of Dublin, exhibited petition at this Board showing that the Lord Archbishop of Dublin conceived the Archdeaconry of Glandelagh to be void and to have been held, either without any title or any valid title, these thirty years by the Lord Chancellor, and that the Archbishop designed the same under his Archiepiscopal seal for Stanhopp; yet that he durst not take full induction thereunto, as well out of respect to the Lord Chancellor as for fear of offending the law by a super-induction. Wherefore he humbly besought us to require the Lord Chancellor to exhibit his titles at this Board for that Archdeaconry, having (as the petitioner alleged) cure of souls, or otherwise to suffer him to be installed, upon reading of which petition we commanded the Clerk of the Council to attend the Lord Chancellor therewith to the end his Lordship might make answer to the complainant. And his Lordship made answer in writing that the cause depended before the Archbishop in his Consistory Court of Dublin, unto whom he had exhibited his title to the dignity in question had not his restraint so suddenly fallen upon him, and that as soon as he should be enlarged he would speedily after exhibit to his Lordship (whom he acknowledged to be the only proper judge in causes of that quality) such a title as should give his Lordship full satisfaction, and likewise give a stop to the petitioner's further prosecution, since which time we are informed by Stanhopp that the Lord Chancellor hath appealed to his Majesty in his Chancery in England.

We therefore, not intending to interpose the authority of this Board therein one way or other, have thought fit to put your Lordship in mind of the fitness and convenience of naming delegates here, whom I hope your Lordship shall think fit.”
Signed by Wentworth and eleven others. Copy. 1½ pp.

* Compare the Archbishop of Dublin's letter of May 10., S.P. Ireland, Vol. 256, 94.

SIR JAMES WARE and SIR PAUL DAVYS.

1638, July 9.—Certificate that they have collected out of the books all the sums mentioned therein as paid to Sir Robert Loftus by the Lord Chancellor (other than the 2,000*l.* paid towards Sir Robert's debts from moneys payable to the Lord Chancellor out of the Receipt of the Exchequer), and submit herewith a statement of the same. Moreover—

Chris. White deposes that in 1634 the Lord Chancellor let John Stanley, merchant of Dublin, have in iron, in part payment of a debt of Sir Robert, the value of - - - 104*l.* 5*s.* 1*d.*

And that in 1627 or 1628 commodities were delivered to Sir Robert out of Stanley's shop for which the Lord Chancellor paid - - - 30*l.*

Robert Lalor deposes to a payment to Stanley in iron, but this is conceived to be the one mentioned above.

Henry Parry deposes that about Easter, 1637, he paid Sir Robert, by the Lord Chancellor's order - - - 100*l.*

And that the Lord Chancellor gave to Sir Robert, going to Sir George Wentworth's wedding - - - 20*l.*

And that the Lord Chancellor told deponent that when Sir Robert went into Connaught to attend the Lord Deputy in his progress, he gave him - - - 50*l.*

John Page deposes that he supplied Sir Robert, in one year, by the Lord Chancellor's direction, with - - - 80*l.*

Jeremy Carter deposes that for four or five years past, by the Lord Chancellor's direction, he has paid moneys to Sir Robert, and remembers particularly sums amounting to - 27*l.* 10*s.*

William Harris deposes that he delivered in several sums to Sir Robert, within the last seven years, by the Lord Chancellor's direction - - - 108*l.*

Henry Parry deposes that the said William Harris showed him a note, stated to be of debts due by Sir Robert to Alderman Robert Arthur of Dublin, in 1633, amounting to 61*l.* 9*s.* which he satisfied by the Lord Chancellor's direction, but this is conceived to be part of the 108*l.* already mentioned. 1 *Sheet of Paper.* *Signed.*

ORDERS IN THE COUNCIL OF IRELAND.

1638, July 10.—Appointing Tuesday the 17th inst. for hearing the depositions concerning Dromnoe and Rathmichell, the time of Sir Robert Loftus's marriage, &c., and deciding what allowances be made to the Lord Chancellor, and what arrearages and damages are to be paid. *Signed by Wentworth and ten others.* 1 *p.*

1638, July 11.—Sir James Ware and Sir Paul Davys are to peruse the above named depositions and make certificate thereon before Tuesday next. *Signed ut supra.* 2 *pp.*

1638, July 17.—The Lord Chancellor is to pay to Sir John Gifford the sum of 3,179*l.* 6*s.* 5*d.*, being the amount certified

by Sir James Ware, Auditor General, and Sir Paul Davys, Clerk of the Council, to be due as the arrearages and damages (at ten *per cent.*) of the 200*l.* *per annum* settled on Sir Robert Loftus, after deducting what he has received from the profits of Dromnough and the tythes of Rathmichell. *Three sheets of paper. Signed by Wentworth and seven others.*

The LORD DEPUTY and COUNCIL to SECRETARY COKE.

1638, July 17. Dublin Castle.—“Upon receipt of his Majesty’s letters of the third of this month I the Deputy forthwith acquainted the Council therewith, whereby we observe his Majesty’s gracious pleasure: That I the Deputy upon the Lord Chancellor’s petition to this Board shall give him leave to go into England: That before he be set at liberty he remove his contempt by performing the decree according to the usual style of justice in all courts, yet so as by sequestration that he be not thereby concluded or debarred from any relief his Majesty upon hearing of the cause may ordain: And that after he is set at liberty he stay here a competent time till he make all his objections whereupon he grounds his appeal, and till he make answer to our charges by denying the same or otherwise.

“We shall most gladly and readily pursue and fulfil those his Majesty’s directions, and as we acknowledge the justice extended to the Lord Chancellor, so we humbly crave leave to express to his Majesty (with all duty and thankfulness) the comfort and contentment we his servants apprehend in the manner of doing it, wherein as his Majesty hath provided for the redress of his Lordship if there be cause, and prevented that prejudice which might otherwise grow to that particular person for whose behoof we made the decree, so hath his Majesty’s wisdom thus preserved the honour and dignity of his government here and us in the capacity of serving the Crown.

“We sent for the Lord Chancellor to this Board, and here made known unto him as well his Majesty’s letters of the 6th of June as his letters of the 3rd of July, which were both read in his presence, and to the end he might thoroughly understand his Majesty’s pleasure and accordingly apply himself to the due observation thereof, we delivered him a copy of his Majesty’s letters of the 3rd of July, which he himself compared with the original.

“We signified unto him, that albeit persons committed for contempt were not usually released, as he well knows, without acknowledging in their petitions their error towards the authority they contemned, yet seeing his Majesty is pleased to do us that high and great honour to take these causes to his own hearing, wherein are involved the particular disrespects put by his Lordship upon the person of me the Deputy and upon the whole Board, set in Council, we will in present most willingly decline that part and (to facilitate his enlargement) will admit a petition only for his liberty, without requiring any such acknowledgement, to be made by his Lordship, but will submit that entirely to his

Majesty upon the hearing, to ordain such reparation for us as to the honour and dignity of his Deputy and Council shall by his Majesty be thought meet.

"We also made known unto him, that touching the sequestering of the monies, if his Lordship be unwilling to do that, we are so far from carrying any strict hand towards him, and do so much desire to hasten matters and to ripen them for his Majesty's hearing (still reserving to his royal judgement the whole merits of them) without the least prejudice to his Lordship, as, if his Lordship will give good security to pay the moneys, or so much thereof as his Majesty shall order, we purpose (with his Majesty's gracious admittance) to accept thereof; but for his own security alone, we told him we held it not sufficient, nor indeed is it, considering that his whole estate, as things now stand, is transferred by him to such uses, as it is not in his power to make it liable to any such engagement.

"As to the estating of the lands, we signified to his Lordship that he and his feoffees may join here in making of assurances, according to the decree, to some persons of honour to be named at this Board in trust and confidence to be by them re-estimated as his Majesty shall order.

"And considering it is most clear that without Sir Edward Loftus join there can be no good assurance made nor the parties interested secured from the casualty of the Lord Chancellor's death, pending the review; that Sir Edward must either repair thence hither to perfect the assurances, or after his father hath executed all here, he may perfect his part there, which latter we willingly assent unto, as well as unto the former, rather than that there might be so much loss of time as would be spun out in his coming over, or anything omitted the whilst which might bring the cause the sooner before his Majesty.

"We likewise made known to him that if any of those ways proposed by us, to secure the parties interested from that prejudice which may otherwise fall upon them in case his Lordship die pending the review, seem difficult to him, that then his Lordship might propound unto us any other way more pleasing to him, and that we would most willingly embrace it, if thereby the parties might be secured from so fatal a prejudice as may otherwise befall them by his Lordship's death, before his Majesty's hearing and judgment of the cause.

"We further signified to him, that as we shall, according to his Majesty's directions, expect from his Lordship all the objections whereupon he grounds his appeal, so we shall on the other side give him his charge here, to the end he may (as his Majesty commands) answer the same by denying it or otherwise, whereupon we may prepare all, and transmit thither all the proofs and other things for his Majesty's hearing.

"And we humbly desire his Majesty may from us be humbly advertised, that in all this time past, since his Lordship's committal, his Lordship hath forborne to petition this Board in any kind, only his Lordship (by message) sent to me the Deputy to have leave to go abroad to take the air for his health, which,

instantly communicated with the Council, we ordered and sent Sir Paul Davyes, the Clerk of the Council, to let his Lordship know he had full power to take the air as often as he pleased betwixt the hours of eight in the morning and six at night, provided that the Constable of the Castle were with him, which liberty since he makes no use of, but told us plainly at this Board, that he will never go abroad with a keeper whilst he lives, which proceeds sure from a great height, as we humbly conceive, as if it were not sufficient that all the rules of ordinary justice and due respects to government should bow and do reverence to the irregularity of his will, unless his Lordship might visibly imprint upon our proceedings the character of his Lordship's neglect and scorn.

"We are so well assured of the honour and uprightness of our proceedings towards his Lordship, even in all those particulars whence he laboureth to raise such matter of complaint against us, as we plainly foresee his Lordship will by all means endeavour to delay the hearing, wherefore we do all most humbly join in this humble suit to his Majesty, that when we shall have transmitted hence thither our charges, his answer, and all the proofs and other things which his Majesty hath required in these causes, his Majesty will be then graciously pleased to hasten the hearing, and to vouchsave to hear it in His own sacred person, in whose judgment we desire above all things to stand upright, and by whose high wisdom, and no other power, these differences may be so settled as the honour and dignity of His Deputy and Council may be supported; the course of his Majesty's justice in His courts at Dublin not interrupted; the jurisdiction of the provincial council countenanced, the causes and interests of his subjects rightly ordered; their persons and estates justly preserved from those oppressions and violences, under which they have hitherto suffered by the vast and unlimited assumptions of the Lord Chancellor; and lastly we his Majesty's servants delivered from that rent and disunion amongst us, which may interrupt his Majesty's great and weighty services, now on foot here, which unity in our affections and councils have already well advanced to the honour and profit of his Majesty and to the safety and peace of His kingdom and people.

Signed, Wentworth, R. Rannelagh, R. Dillon, Wm. St. Leger, Ad. Loftus, Wm. Parsons, Gerrard Lowther, R. Bolton, Chr: Wandesford, Phil. Mainwareing, Charles Coote, Robert Meredith. *Certified copy.* 5 pp.

ORDERS IN COUNCIL.

1638, July 24.—The Lord Chancellor having been ordered, by the decree of Feb. 1, 1637 [-8], to estate upon Sir Robert Loftus, for his maintenance during his fathers life-time, the lands and house of Drumnogh, and 200*l.* *per annum*; and it being now stated by plaintiff's counsel, that although Sir Robert has held and enjoyed Drumnogh, yet there is no assurance either of that or the 200*l.* *per annum*, wherefore he prays that a paper draft

“purporting a grant” of the 200*l*. may be read and tendered to the Lord Chancellor to be perfected: it is hereby ordered that the Lord Chief Justice of Common Pleas and the Lord Chief Baron of the Exchequer do peruse and consider of the said draft, and make report to the Board. 1½ pp. *Signed by Wentworth and five others.*

Same date.—The commission returned concerning the lands held by the Lord Chancellor to be published, unless cause is shown to the contrary by Tuesday next. *Certified copy.* ½ p.

Petition of ALICE, VISCOUNTESS MOORE, to the KING.

[1638, July].—“Most humbly sheweth; that for two months last past, your Petitioner hath continued hopeful by your Majesty’s goodness to have seen her aged father in England, to make known to your Majesty how much he hath suffered by a decree made against him, and an imprisonment thirteen weeks in the castle of Dublin, and had your Majesty’s first directions to the Lord Deputy been performed, your petitioner doubteth not but ere this your Majesty would have been satisfied of the justness of his appeal, which his opposers fearing, have obtained later directions from your Majesty to continue him in prison first until he remove his contempt for breach of the decree there made; secondly after his enlargement that he stay a competent time there till he make all the objections whereupon he grounds his appeal and answer all the charges objected against him by the Deputy and Council there.

“Which things, if your Majesty shall be pleased to consider in your princely judgment, will appear to be raised by his adversaries there, of purpose to hinder his approach to your royal person, for your Majesty cannot think it reasonable that he should perform that decree against which he complains as not warrantable by any course of justice, and submit to the judgment of those from which he doth appeal, before it be determined by your Majesty, and so put that estate out of his own power which by his appeal to your Majesty he desireth to preserve for support of the honour of his house and provision for younger children, and for payment of the money decreed there, which is above £3,000; your Majesty may easily believe it is a sum not within the power of a prisoner as he is, and security other than his own your Majesty cannot think he can procure, not being able to counter secure any friend whilst the decree remaineth in force against him. And as for the latter part of your Majesty’s directions, in respect the competency of time for his stay there after his enlargement, before his coming over, is left indefinite &c., to the interpretation of his adversaries there, your petitioner may justly fear that they who desire to know the grounds of his appeal to your Majesty, which are so short and plain, being only against an unwarrantable decree and imprisonment, will protract the time so long before they will be satisfied with answers to their charges where

themselves are judges, that his death may conceal his sufferings from your princely eye.

“Therefore dread Sovereign, be pleased to recall these latter directions and restrictions, which if not possible to be performed yet may put him in worse plight than he is already, and for your goodness sake, your zeal and love to justice, your respect to an old faithful servant, your compassion to a distressed child who cannot but suffer in the afflictions of her aged father who is like to perish through imprisonment, be graciously pleased to give your absolute directions for his enlargement and coming over, or if his adversaries fear his flight (which his age may secure them against), yet be pleased to give way that he may come over in custody, when he shall be always responsal to what the former decree or your Majesty shall be pleased to enjoin him without breach of rule of justice whatsoever.

And in expectation of your Majesty's gracious answer, your Majesty's humblest petitioner shall remain ever praying to God for your Majesty and to incline your royal heart to grant her request.” 1½ pp.

CHARLES I. to the LORD DEPUTY and COUNCIL.

1638, August 7. Oatlands.—Approving of their proceedings in relation to the Lord Chancellor, but misliking their “overmuch forbearance and patience.” Desires them to require his Lordship to acknowledge his fault and sue for pardon, after which, and not otherwise, he may repair to England. Sir Edward Loftus's presence is necessary at court when his father comes, but order has been given that he is not to depart the realm until he has answered Samuel Powell's complaint. *Copy.* ½ p. [*Printed at length in Report IX., Appendix, part 2, p. 296.*]

ORDER IN THE COUNCIL OF IRELAND.

1638, August 7.—Upon motion of Serjeant Sambach, and on reading the certificate of the Chief Justice of Common Pleas and the Chief Baron of the Exchequer, it is ordered that the Lord Chancellor perfect a grant of the annuity of 200*l.* to Sir Robert Loftus, according to the paper draft mentioned in the said certificate, and also pay the half year's rent due on the 1st of this instant. *Signed by Wentworth and four others.* 1 p.

Petition of LORD CHANCELLOR LOFTUS to the LORD DEPUTY and COUNCIL.

1638, August 7.—Praying for licence to repair into England according to his Majesty's gracious permission expressed in his letters of July 3, “and the rather for that the petitioner by his long restraint (being these sixteen weeks past) is much weakened in his body and impaired in his health;” or if this cannot speedily be effected, that he may be removed into his own house, upon such caution and conditions as their Lordships shall think fit. *Certified copy.* ¾ p.

Answer of the LORD DEPUTY and COUNCIL to the
LORD CHANCELLOR'S Petition.

1638, Aug. 7.—“ We cannot but observe and mention that this day's petition is the first his lordship hath been pleased to offer to this Board. The petitioner hath been acquainted with his Majesty's gracious directions what is by him to be done in order to his enlargement . . . and by us required to conform himself accordingly, whereunto this petition is not pursuant; so as we are sorry that besides his manifold contempts against the commands and orders of this Board, he thus also fails in that obedience and duty he owes his Majesty. But so soon as he hath, on his part, performed what is required by his Majesty, we shall be very ready and willing to fulfil all that by us remains to be done in that behalf. And as to the giving him the liberty of his own house, being in execution for great sums, and daily multiplying thus his disobedience against all authority, we do not think it comely now to grant him that favour; especially that having the liberty yielded him to go abroad with his keeper to take the air for his health, hath with scorn publicly at this Board rejected the offer, and refused to take the benefit thereof.” *Certified copy.* 1 p.

SIR GEORGE WENTWORTH.

1638, October 1.—Affidavit by Sir George Wentworth that he gave the Lord Chancellor a writing in parchment “purporting” the grant of 200*l. per annum* to Sir Robert Loftus, but that the next day his Lordship re-delivered it to him not perfected, and, so far as deponent knows, has not yet paid the money. *Certified Copy.* 1 p.

ORDER in the COUNCIL OF IRELAND.

1638, October 9.—Appointing Tuesday next for hearing the depositions concerning the value of the lands mentioned in the decree of 1st of February last. *Signed by Wentworth and six others.* $\frac{1}{2}$ p.

Decree by the LORD DEPUTY and COUNCIL.

1638, October 16.—The commission for finding what lands, &c., were held by the Lord Chancellor immediately after Sir Robert Loftus's marriage having made their report, and the examinations of witnesses having been published and read, it appears that all the lands, &c., whereof the Lord Chancellor (or any for his use) was seised, at the time of the marriage or sithence, amounted to 1,145*l. per annum* and no more, viz.: the lands of—

Monaster Evan	- - - - -	357 <i>l.</i>
Coshagoolie, Harristowne, Richardstowne and		
Moylerstowne	- - - - -	165 <i>l.</i>

Kilpatrick and Kilbegg	-	-	-	-	-	15 <i>l</i> .
Fontsland	-	-	-	-	-	130 <i>l</i> .
Crèw Eustace	-	-	-	-	-	80 <i>l</i> .
Also the lands in—						
Irregan	-	-	-	-	-	60 <i>l</i> .
Ely O'Carroll	-	-	-	-	-	258 <i>l</i> .
England	-	-	-	-	-	80 <i>l</i> .

It is therefore adjudged that the Lord Chancellor and Sir Edward Loftus and their wives and feoffees shall, by such reasonable conveyances as the plaintiff shall require, convey and assure the house of Monaster Evan well furnished, and the aforesaid lands as hereafter mentioned; viz.:—One third to the use of Lady Ely during life, for her jointure and in lieu and full satisfaction of her dower; and so much of the lands as at Michaelmas term after Sir Robert's marriage was of the clear annual value of 300*l*. to be set forth by the Lord Chancellor and certified within fourteen days to the Board, to be conveyed to the use of the said Lord Chancellor and Sir Robert Loftus for their lives, with remainder to the use of Lady Ellinor Loftus for her jointure; and so much of the rest as is of a yearly value of 150*l*. to be set out in like manner, least it should happen that Viscountess Ely, surviving the Lord Chancellor, should "evict from the said Dame Ellinor" any part of the 300*l*. *per annum*. And as for the residue of the said lands and also the reversion thereof, from and after his death, that Sir Edward Loftus may receive an annuity of 200*l*. during life. And concerning the said lands "after the several and respective determination of the said estates" formerly limited to the use of Sir Robert Loftus and the heirs of his body by Dame Ellinor, a proviso to be inserted, that if the King, upon review of the said decree, shall in his high wisdom and judgment reverse the same, or appoint the said lands or any part of them for any other uses, that then the feoffees in the said conveyance to be named shall stand and be seized of the said lands, or of so much as his Majesty shall limit, to such uses as his Majesty in his great wisdom shall appoint. And the Lord Chancellor shall (to the end that the the said conveyance may be made ready) within ten days deliver in all deeds concerning the said lands. And also shall perfect the grant of the annuity of 200*l*. to Sir Robert, pay the costs and damages due to the plaintiff, and satisfy the arrears and damages owing to Sir Robert, amounting to 3,179*l*. 6*s*. 5*d*., together with 100*l*. for the last half year's rent; none of which things he has hitherto performed. *Copy.* 4½ *pp*.

Petition of LORD CHANCELLOR LOFTUS to the LORD DEPUTY
and COUNCIL.

1638, November 6.—Petitioner is most ready and willing to perform his Majesty's commands, as expressed in his letters of July 3; has already delivered all his deeds and conveyances to the Clerk of the Council, and doth wholly submit the ordering of his lands to their Lordships, so that it be according to his

Majesty's intentions. And since by thus conveying his lands and keeping only a life interest he will be disabled from raising any moneys on them, he humbly prays that the payment of the great sum of 3,339*l.* 6*s.* 5*d.*,* which he cannot possibly raise save by mortgage or sale, may be suspended until his Majesty hear the cause, or that some parts of his rents may be accepted towards satisfaction thereof, reserving what is thought fit to maintain himself and his family according to his rank and quality, the rather in regard that the payment does not concern a creditor or stranger; and that he may now at length be set at liberty, being in restraint this full half year or more. *Certified copy.* 1½ *pp.*

ORDER IN COUNCIL.

1638; November 6.—That Serjeant Sambach and the Attorney-General attend the Lord Chancellor with a rental of his lands that he may set forth the 300*l.* a year for Lady Ellinor's jointure, according to order of October 16. *Copy.* 1¼ *pp.*

Petition of the LORD CHANCELLOR to the LORD DEPUTY and COUNCIL.

1638, November 13.—The values of his lands seventeen years since (as set down in the note brought to him by Serjeant Sambach and the Attorney-General) being, as he conceives, much mistaken, he humbly leaves the setting forth of so much as is worth 300*l.* for Lady Loftus's jointure entirely to their Lordships, protesting that whatever shall be tendered to him, either concerning the jointure or the whole estate (provided it agrees with his Majesty's intentions) shall be by him readily perfected.

And having had no answer to that which he set forth in his last petition as to the impossibility (if his estate should be conveyed as intended) of satisfying the order for the payment of 3,339*l.* 6*s.* 5*d.*, he again humbly desires to know the Board's pleasure in that particular. *Copy.* 1 *p.*

Certificate by the MASTER OF THE ROLLS and the SECRETARY OF STATE to the COUNCIL.

1638, November 20.—Having waited upon the Lord Chancellor and acquainted him that a Committee of the Board was appointed to choose such lands as were fit for Lady Loftus's jointure, and also that if he would consent to a moiety of his last Michaelmas rents and the whole of his entertainments since last Easter being sequestered towards the payment of the 3,339*l.* 6*s.* 5*d.*, their Lordships would propose the same to the other parties without whose consent they could not accommodate the matter:—

To the first point "his Lordship said he humbly assented to the pleasure of the Board, and so, at the first, he did seem to do for the latter, affirming that he liked the proposition well . . .

* This includes the "costs and damages due to the plaintiff."

but after a little time of pause, his Lordship added : I am not yet well recovered ; let it rest awhile. If I live, there will be time to do it ; if I die, there is an end." *Signed* : Christopher Wandesford, Philip Manwaring. *Copy.* 1½ pp.

ORDERS in the COUNCIL of IRELAND.

1638, November 27.—That counsel on both sides attend the Lord Chief Justice of Common Pleas and the Chief Baron of Exchequer, to peruse the paper books concerning the settling of the Lord Chancellor's lands, and to show exceptions to mistakes (if any). *Signed by Wentworth and nine others.*

1638[-9], January 8.—The Lord Chancellor being this day called to the Board, the charges against him have been read, and he is required to make answer thereto (according to his Majesty's letter of July 3 last), convenient time being given him so to do.

And whereas he has only to-day put in his exceptions to the drafts of the deeds given him on December 20 last, yet, to the end that he may be fully heard, Tuesday the 15th inst., is appointed for counsel on both sides to be heard concerning the exceptions, before which time his Lordship is to give in the objections on which he grounds his appeal [to the King] and to deposit, or give security for, the money ordered in the case of Sir John Gifford.

"And lastly, we do now again signify unto him that what counsel soever he shall name shall be commanded by this Board to be of his Lordship's counsel, though we conceive that without any such command, his Lordship (whatever he pretends) may and ever might have what counsel he desires." *Copy.* 1¾ pp.

1638[-9], January 15.—That although the Lord Chancellor's delays have been many and needless, yet, upon his desiring further time to put in his exceptions, the Board consents to give him until the 22nd instant. *Fourteen signatures. Certified copy.* 1 p.

Petition of SIR JOHN GIFFORD to the LORD DEPUTY and COUNCIL.

1638[-9], January 22.—Whereas Lord Loftus, contrary to his covenant with Sir Francis Ruisshe, purposed to convey the best part of his estate upon Sir Edward Loftus, his younger son, to the apparent disinheriting of Sir Robert Loftus his eldest son and heir, by which Sir Robert's children were stript of their natural inheritance and their mother defrauded of her jointure : petitioner, to preserve his sister and her children, petitioned his Majesty about the 9th of February 1636[-7] who was pleased to appoint the hearing and determining the cause by your Lordship and this honourable Council. [*Here follows a summary of the proceedings in the case.*] The Lord Chancellor now purposes "to bring the whole matter about again by way of appeal to his Majesty," intending to spin out the time to the uttermost and so

waste petitioner by chargeable and long suits ; wherefore your honours are humbly implored to enforce his Lordship to perform your decree, and that for his manifold contempts he may be committed close prisoner and the profits of his lands sequestered and his pensions and offices stayed until the 3,100*l.* (*sic*) due to Sir Robert may be raised. And also that some present relief may be had for the arrears of Sir Robert's annuity of 200*l.* and a future settlement provided for its payment hereafter, together with such costs as have been ordered to petitioner. *Certified copy.* 3 pp.

ORDER IN COUNCIL.

1638[-9], January 22.—Although the Board sees no material cause to give allowance to the Lord Chancellor's exceptions to the drafts ordered him to perfect, yet to avoid all further exceptions, and to the end that Lady Loftus and Sir Edward Loftus may not have any show of prejudice, it is hereby ordered that counsel on both sides attend the Lord Chief Justice of Common Pleas and the Chief Baron of the Exchequer concerning the first and third exceptions—it being conceived that there is no colour of ground for any of the others—to the end that the said drafts may be, as the said judges shall direct, forthwith executed. *Copy,* 1 p.

LORD CHANCELLOR LOFTUS'S LANDS, &c.

1638-9, January 29.—Memorandum for “A deed tripartite between Lord Loftus and Sir Edward Loftus, their wives and trustees of the one part ; Sir Robert Loftus and Dame Elinor his wife of the second part ; Sir Philip Manwareinge and others of the third part” :—

By which the Lord Chancellor and Sir Edward covenant that they and Sir Robert and their wives shall levy a fine in consideration of a marriage between Sir Robert and his lady, and of 1,750*l.* portion paid &c., and in part of pursuance of a decree &c.

The uses declared to the Trustees on the third part :—in trust for a jointure for the Chancellor's lady ; for 200*l.* annuity for Sir Robert during the joint lives of him and his father ; for a jointure for Dame Elinor.

“Of Crew Eustace &c., to the trustees and their heirs to recompense any part of the jointure of Dame Elinor that shall be evicted by the Chancellor's lady, and of that and the rest of Crew Eustace to Sir Robert Loftus and the heirs of his body by Dame Elinor.

“Of all the rest for 200*l.* *per annum* to Sir Edward Loftus for life.

“Remainder of all after the Chancellor's death to Sir Robert and the heirs of his body by Dame Elinor,

“Provided that if the King shall so determine to alter any or all those uses that the trust shall be accordingly.” 1 p. *Endorsed :*

“Mr. Chute's note,”

Same date.—Notes concerning the covenants to be made by the Lord Chancellor, his sons and their wives, concerning the moneys for Lady Loftus's and Dame Elinor's jointures, &c. 1 p.

1638[-9], January 29.—Indenture tripartite between Lord Loftus and the Lady Sarah his wife; Sir Edward Loftus and Dame Jane his wife; Sir Richard Bolton, Lord Chief Baron of the Exchequer; Sir Robert Meredith, Chancellor of the Exchequer; Sir Samuel Mayart, Justice of Common Pleas, and Sir Edward Belton, Solicitor General, of the first part; Sir Robert Loftus and Dame Elinor his wife, one of the daughters and heirs of Sir Francis Rush, deceased, of the second part; and Robert, Lord Dillon, one of his Majesty's Privy Council; Sir Adam Loftus, Vice Treasurer and Treasurer at wars; Christopher Wandesford, Master of the Rolls of Chancery and Sir Philip Manwaring, principal Secretary, of the third part; setting forth the names of the lands conveyed. *Signed by Sir Robert Loftus, Lord Dillon, Sir Adam Loftus, Chris. Wandesford and Sir Philip Manwaring. Copy. 1 large sheet of paper.*

ORDER IN COUNCIL.

1638[-9], January 29.—The Lord Chancellor having refused to perfect the deeds which have been engrossed and not having either paid in or given security for the moneys which were to be delivered to the clerk of the court, he is declared to be in contempt, and is to continue committed to the castle of Dublin, where he now is, whereof the Constable of the castle is to take notice. And the plaintiff's counsel—having represented the great charge to the plaintiff of his, the said counsel's, continual appearing at the Board, owing to the defendant's many delays—is ordered to draw up a bill of costs for the consideration of the Board. *Signed by the Lord Deputy and seven others. 2 pp.*

THE LORD DEPUTY AND COUNCIL TO SECRETARY COKE.

1638[-9], February 4. Castle of Dublin.—“If length of time or any patient expectation on our parts, so far as might consist with the honour of this government, might incline the Lord Chancellor to depart from his own will and conform to his Majesty's directions, we should willingly forbear thus often to become troublesome to his Majesty concerning him.

“What hath been done since our last joint despatch thither of the 29th of December last, is that which we shall at this time represent thither.

“On the 8th of January, his Lordship being called to this Board, the several charges against him (to which by his Majesty's letters of the 3rd of July, he is to make answer) were read in his Lordship's presence, and he by us required to make answer thereunto, according to his Majesty's said letters; and seeing the charges were many and of great consequence, we not holding it fit his Lordship should be any way straitened in time, declared

unto him he should have a copy thereof, which was delivered to his Lordship at this Board on the 29th of January; and that he might have a convenient time to make answer thereunto, we have given him six weeks time for it, and if he then desire a further reasonable time, we intend to grant it him.

"We also send you here inclosed a copy of those our charges against him; with a brief thereof which we have prepared to ease his Majesty in the perusal.

"As soon as he heard the charges read over, he had the confidence to affirm before us, and that in the hearing also of divers others who were then present, that he was glad they were no worse, and that he would easily answer them all, which personage (*sic*) assumed only to amuse the multitude, we should have wondered at much but that we are grown well-acquainted with his confident affirmations, where there can appear no ground for them at all, considering that as the matters of the charge are to our seeming very grievous, so the proofs of all the particulars instanced are, for the most part, matter of record or such as we have in our own power, ready to produce.

"And though the charges consist of many particulars, yet are the irregularities far short of the number of those we might express, but that, of many, we choose to instance a few in every particular case.

[Here follows a relation of proceedings, from the delivery of the rough drafts of the conveyances to the Lord Chancellor on December 20, to the hearing on January 29, the wording of which is much the same as the recitals in the orders printed above.]

On January 29, "the deeds engrossed for his Lordship's perfection, . . . wherein our very good lord, the Lord Dillon, Mr. Vice Treasurer, the Master of the Rolls and Mr. Secretary are nominated feoffees and sequestrators, were tendered to his Lordship, . . . yet his Lordship refused to perfect them, though there was inserted in the main deed a proviso" that if the King should reverse or alter the whole or any part the feoffees should alter the conveyances accordingly.

Wherefore, considering that his Lordship had not deposited the sums ordered or given security for the same, it was ordered on the 29th of January that he should continue committed where he now is. As regards his objections, he not only failed to deliver them in, but on January 15, "told us plainly that that was not to be done, by the King's direction, until after his enlargement, whereby we under favour conceive he misapplies his Majesty's gracious direction to an end differing from his Majesty's royal intention. The words indeed of his Majesty's letters are that it is his pleasure that after the Lord Chancellor is set at liberty, he stay here a competent time, till he make all the objections whereupon he grounds his appeal, and till he make answer to our charges; and although his Majesty's directions were so, expecting (as we under favour believe) that the Lord Chancellor would readily perform what his Majesty commanded, and thereby make way for his own speedy enlargement, yet (as we humbly conceive) it was not his Majesty's meaning that the

misdeemeanours and irregularities wherewith the Lord Chancellor stands charged and the aspersions which his Lordship hath cast upon the honour and justice of this Board should never be examined, in case the Lord Chancellor, purposely to avoid that examination, should by his own inconformity to his Majesty's directions become incapable of enlargement; and hereunto tends the construction which the Lord Chancellor seems to make of his Majesty's said directions, for indeed the misdeemeanours wherewith he stands charged are so unanswerable, and do so evidently manifest how incompetent a person he is for the great trust of dispensing his Majesty's conscience to the subject, and the proofs are so unavoidable, as we now see apparently, that his endeavour and labour is, by his disobedience to his Majesty's directions, to continue his own restraint, hoping under countenance of those words of his Majesty's letters, and the interpretation he puts upon them, that he may not be required to answer those charges against him while he stands committed.

"And as he strives to defer answering those charges, so he labours with the like endeavours, and still under countenance of that interpretation of his Majesty's letters, to defer putting in his objections whereon he grounds his appeal; it being well known unto him, how specious soever his pretences were, that the proceeding and sentence of this Board . . . are so just and honourable in all the parts thereof as no art he can use is able to shake them, but that when they shall come before his Majesty's excellent judgment, we are humbly confident we shall, by his Majesty, be found to have given a just and equal sentence. . . . We therefore held it not fit any longer to wait for his performances of what he is enjoined by his Majesty in order to his enlargement, but to give in our charge against him and to require not only his answer but also the bringing in those grounds of his appeal, to the end . . . to prepare all things the sooner for his Majesty's gracious hearing."

And as he now chooseth to lie in restraint rather than answer his charge and put in his objections, and that his delays are such as render him "a condemner in a very obstinate and high degree," not only of us but of his Majesty, and do both keep the person in whose behalf the sentence of the Board was passed from receiving the least fruit from that decree, and also put great prejudice upon those subjects who have causes depending before us, by wasting the time which we were wont to give to the weighty services of the Crown and of the public safety: We humbly offer to his Majesty's wisdom whether common justice and reasons of state do not enforce us (upon the plaintiff's petition herein enclosed) to proceed to the sequestering of his rents and other profits until the sum aforesaid be fully raised or secured, "which in all like cases we humbly conceive to be usual in this kingdom, particularly in the Chancery itself. . . . We also humbly offer it to his Majesty's great wisdom whether or no it may not be fit (in case the Lord Chancellor cannot be drawn to his answer in convenient time), the crimes laid to his charge be put into such a further speedy way of judicial proceeding against him as his

Majesty in his royal judgment shall think fit, provided always that, notwithstanding his Lordship's close imprisonment, his counsel and others whose assistance may be useful to him in making his defence be at full liberty to have all needful accesses to him for that purpose."

"And here we humbly crave leave to make known to his Majesty that on the 22nd of January, we being set in Council and the Lord Chancellor before us, I the Deputy, by advice of the Lords telling the Lord Chancellor that the reason wherefore the Board pressed to have a copy of the charge delivered him to be answered was for that it made good the humble opinion which the Board had formerly certified to the King of his Lordship's unfitness for the place of Chancellor, his Lordship answered that if they had written so he was sorry for it, for other men would be of another opinion, and said also that if he had known that, he had just cause to disclaim the justice of the Board, who had done him so great a wrong. I the Deputy then telling him that his Lordship had some months since heard our letters read to him at the Board which contained that our humble opinion, and purposely showed him that he might know what the Board had written and prepare his defence, his Lordship then said he had no reason to trust our justice or integrity or of any member then sitting at the Board, who had done him so high an injury and showed so much disaffection to him. Yet after, he added these words: they may have integrity in other men's causes, and perhaps to me in some other causes, but not in this. When I the Deputy told him that the Board did advertise his Majesty of the course held by them with his Lordship concerning estating the lands, which his Majesty was graciously pleased to approve, and that his Lordship's contempt was not only against the Board, which notwithstanding was above his Lordship, but also against the King himself, his Lordship said: these eyes never saw that letter; whereunto I the Deputy answered that a declaration made by the Deputy and Council of the King's pleasure was sufficient to a Chancellor or any other subject. His Lordship then said it had not been so heretofore, and that seeing the matter was of so great weight as that it concerned all he had, it behoved his Lordship to see fair and good open-handed dealing, or otherwise to keep his possession. I the Deputy telling him I would not answer him his foul language and that the matter was before the King in judgment, which I should not presume to prevent in any kinds, nor at all dispute it now in this place, his Lordship answered that he was glad of it, saying: for I see this is not the place where I must expect justice.

"And we humbly offer to his Majesty's consideration that the time chosen by the Lord Chancellor to express those his disdains of this Board was in the presence of great numbers of suitors and others then attending, whereas in all reasons of State and rules of Government, the dignity of this Board ought to be so rendered in public to all men as might not lessen the honour and reverence due from this people to so eminent an authority; the tender and important consideration whereof would in any

other man's case have obliged us to proceed (after so often a repeated neglect) by fine, imprisonment and public acknowledgement of so great a contempt and neglect to the honour of this state. Howbeit, in this person of the Lord Chancellor, we in all humility submit it to his Majesty's wisdom, that of all others best understands so to sustain and support his own ministers as may be for his own greatness and the public weal of his people."

There is also another particular which we conceive fit to be represented thither. A good while before the Lord Chancellor's committal, one Robert Hartpoll exhibited a petition unto us complaining against a decree made in his prejudice by the Lord Chancellor in favour of one James Medcalfe, a doctor of physie, deceased, which cause being fully heard on the 15th of June, 1637, it was then adjudged that the Lord Chancellor's decree should be reversed, and complainant restored to what he had lost by the said decree since the death of his father. Afterwards, Hartpoll complaining at this Board against Sir Edward Loftus, Samuel Powell and Robert Medcalfe for the mean profits of the lands ordered for him, there was, upon full hearing of the cause, an order made at the Board on June 26, 1638, but when it was shown to Sir Edward, he said "he would not be ordered by me, the Deputy, or by Sir George Radcliffe, whose kinsman, he said, the said Hartpoll is, but that he would appeal to the King, as by the enclosed affidavit may appear unto you."

We believe that Sir Edward is emboldened in his contempt by the hope that he may be admitted to stay there as agent for his father during his restraint here, in which case we shall suffer under his contempts, and the persons wronged by him will gain no benefit from our just orders. "Besides, he presumes to declare our order unjust, not only taxing me, the Deputy, (whose order alone it was not, but the unanimous order of the whole Board) but also Sir George Radcliffe, who was not in this kingdom when that order of the 26th of June last was made; . . . and howsoever he takes a liberty so to traduce the uprightness and justice of this Board, yet we do affirm to his Majesty, and will be ready to justify the truth and justice of those orders, and to make it appear that the Lord Chancellor's decree so reversed was unjust, the benefit whereof for the greater part was applied to Sir Edward Loftus," humbly beseeching his Majesty meanwhile that the honour of the Board and the rule of common justice towards the subject may by his great wisdom be preserved, by the sending over of Sir Edward Loftus to answer his contempt and pay Hartpoll his just debt. *Signed by the Lord Deputy and eleven others. Certified copy, 8½ pp., closely written.*

THE KING to the LORD DEPUTY and COUNCIL.

1638[-9], March 16. Palace of Westminster.—Ordering them to commit the Lord Chancellor close prisoner—but with permission for his counsel to have free access to him—and in case he is thereby not brought to conformity, to sequester his estate for

the payments ordered to be made. *Sign Manual. Countersigned by Secretary Coke.* 1 p. [*Printed in Strafford's Letters and Despatches, ii, 298.*]

Petition of the LORD CHANCELLOR to the LORD DEPUTY
and COUNCIL.

1639, March 26.—“Your petitioner being now committed close prisoner and thereby deprived of the comfort of wife, children and servants, whereby to preserve his health and life; most humbly beseecheth your honours to be graciously pleased to afford him the comfort of his so ancient and dear a companion as being man and wife these forty years, who is herewith an humble petitioner; and likewise to appoint such of his servants as are useful for the performing of your Lordships' commands to have free egress and regress for the furtherance thereof; namely John Loftus, Richard Leigh and Jeremie Carter.”

Underwritten,

Order of the Lord Deputy that the Constable of the Castle is to admit Mr. John Loftus and Mr. Jeremie Carter to attend his Lordship “for this night,” but that, seeing there is not time to advise with the Lords of the Council, to whom his Majesty has equally referred petitioner's cause, the above petition and this answer is to be re-delivered the next morning. Copy. 1 p.

ORDER in the COUNCIL of IRELAND.

1638[-9], March 26.—For the stay of the Lord Chancellor's rents in the tenants hands. *Signed by the Lord Deputy and eleven others.* 1 p.

Petition of LORD CHANCELLOR LOFTUS to the LORD DEPUTY
and COUNCIL.

1639, March 27.—Humbly sheweth that petitioner “having petitioned, upon committal of him close prisoner, for the company of his lady, which he hopeth your honours will be pleased to grant, the rather for that the small sustenance whereby he liveth is ministered by her hands, and also for the free egress and regress of such of his servants as were useful for him, which, though your honour was pleased to grant, yet for the present they are kept from him,” now forasmuch as petitioner cannot make ready his answers according to your honours' orders without the assistance of his own clerks and their books, and other officers of the Courts, he prays order for delivery of those books, and commandment to all such officers and clerks as shall be useful for the performance thereof.

Underwritten,

Order upon the above petition.

That they do not conceive it agreeable with the condition of close imprisonment for the prisoner's wife to be with him, and that—the castle being straitened for room owing to the

number of prisoners—Lady Loftus is forthwith to depart therefrom; but that John Loftus and Jeremy Carter, two of his Lordship's servants named in his petition of yesterday, are to be admitted to attend him, "so as they be confined to the same close restraint with him"; And as to the rest of his petition, he is to name which officers and clerks and what books he desires and at what times he would have them, and thereupon further directions shall be given. The Constable has now been instructed to receive all such petitions as his Lordship shall give him, and to present them at the Board. Signed by the Lord Deputy and eight others. Certified copy. 2 pp.

Petition of DAME SARA LOFTUS, VISCOUNTESS ELY, to the
LORD DEPUTY and COUNCIL.

1639, March 28.—Praying that—whereas her husband is now committed close prisoner in Dublin Castle, where he has already remained for forty-six weeks or thereabout, and is to remain until he has performed certain commands of their Lordships—she "may have the liberty of one of the next convenient rooms, where she may be near to give directions upon such fit of weakness as he is very often troubled withal, and for the provision of that small sustenance whereby nature is preserved." *Certified copy.*
 $\frac{3}{4}$ p.

Petition of LORD CHANCELLOR LOFTUS to the LORD DEPUTY
and COUNCIL.

1639, March 30.—In compliance with their directions upon his last petition that he should name the officers, books, &c., that he conceives it necessary to see, he prays them to appoint John Loftus and Henry Parry, with the books of entry and other papers seized by their Honours' orders at his first committal; the Register of the Court of Chancery, with such books and Acts of Court as may be useful to petitioner, and also the Philazer of that court with the pleadings and rules in his custody. And as petitioner is charged "with intrusion upon the practice of all or most of the Courts in the kingdom, he humbly prayeth the like order and command for any of them as occasion shall require, and lastly the free liberty for his learned counsel at all times to resort unto him, for the more speedy performance of their Honours' commands."

Underwritten,

Order on the above petition.

The petitioner and his counsel are to be allowed to see the books, papers, &c., in the presence of Loftus and Parry in the Council Chamber, at such time as he thinks fit before Easter term next, on giving notice the day before through the Constable to the Clerk of the Council; and also the officers of the Court of Chancery and the papers, &c., in their custody, in like manner. Concerning the officers of

other Courts, it is not thought fit to call them all hither from the exercise of their several places, but if the petitioner name any one or more, and instance the things in their custody which he wishes to see, such order shall be given as occasion shall require; and as to his counsel, when he names them, they shall be granted access to him as he desires. Nine signatures. Certified copy. 2½ pp.

ORDER in the COUNCIL of IRELAND.

1639, March 30.—That the Constable of the Castle attend the Lord Chancellor when he goes to the Council Chamber to view the books and papers as permitted; that “the Clerk of the Council and Thomas Litle, Esq., or either of them, and the Constable of the Castle, or otherwise the Constable of the Castle and two of the Clerk of the Council’s servants, shall be always present,” and that when his Lordship has viewed the said books and papers and taken such notes or copies as he thinks fit, such as were in the hands of Loftus and Parry are to be safely locked up, and such as are brought by his Majesty’s officers to be returned to them.

The Constable of the Castle is to see that his Lordship speaks with no one on his passage to and from the Council Chamber, and that while there, he speaks only with those appointed, in the hearing of the Constable, and on no other matter than the books and papers and what is contained in them. *Nine signatures. Certified copy. 2 pp.*

Petition of LORD CHANCELLOR LOFTUS to the LORD DEPUTY and COUNCIL.

1639, April 3.—Having perused your Lordships’ order of March 30, “I do find so many difficulties and impediments which will arise thereout, so as it will be very hard for me to proceed to finish that work; . . . some impediments arising out of the circumstances of the persons, namely, first the Clerk of the Council, the Constable of the Castle, the several officers that are interested in the books, the Register and Philister of the Court of Chancery, a consultation with the Master of the Rolls, my counsel to be named (being Mr. Aylmer, Mr. Birford and Mr. Martyn), then order for them who are now out of town; the difficulties in respect of the place, the Council Chamber, and in regard of the time, but till Easter term next, and that upon such afternoons as there is no meetings of Council, which usually are but two in the week, and monition first to the Clerk of the Council the day before, which will be very uncertain to procure the attendance of so many persons.”

May it therefore please your Lordships to enlarge petitioner’s restraint and leave him at liberty for time and place, “and lastly, in regard there is a holy time approaching, wherein the acts of piety ever practiced, that your Lordships will be so far

pleased to release the strictness of this restraint as that his chaplains may perform their duty unto me (sic) in that behalf."

Underwritten,

Order in Council upon the above petition.

Albeit since the petitioner's close imprisonment, no overture hath been made by him, leading in the least degree to the performance of any of the particulars required from him by his Majesty, according to the orders of this Board, yet this Board, unwilling to deny him any just respects, is pleased to allow his three counsel now named by him, to have access to him at all reasonable times. "Concerning the petitioner's chaplains, the petitioner's own contempts have justly drawn upon him that condition wherein he now stands, and do render him incapable of the favour he desires." Touching the further time desired, it is now full nine weeks since his Lordship was required to put in his answers, and we conceive that by Easter term he will have sufficient time, yet if we see him use his best endeavours (which hitherto he hath not done) we shall be willing to give further directions therein. And as to the other parts of the petition, we conceive there are no such difficulties as petitioner apprehends, it being easy for him to give notice to the Constable of the Castle, as before directed, whereby the trouble of sending to several persons is taken from the petitioner and imposed on others. Signed by the Lord Deputy and ten others. Certified copy. 2 pp.

Petition of LORD CHANCELLOR LOFTUS to the LORD DEPUTY and COUNCIL.

1639, May 7.—Your Lordships having ordered petitioner's rents to remain in his tenants' hands, and many of his tenants being poor, and in danger of misspending the rents or converting them to some other use, he prays that some course may be taken for the prevention thereof. And as concerning his answers, it is true that little or nothing has been yet done, in regard of the almost impossibilities which occur therein, some arising from the time being vacation, some from the inconvenience of the place of meeting, some from the persons to be convoked being mostly out of town, others from the want of those pleadings which the collectors of the several charges had and used in the time of the search, and which it is very necessary that petitioner should see. But the greatest hinderance of all is the strict restraint which petitioner has suffered now for a whole year, which being accompanied with weakness and other infirmities, he could not possibly perform what was required of him. He therefore prays a further respite of time, and the liberty of his own house, upon such bonds as shall be thought fit.

Underwritten,

Order in Council upon the above petition.

The tenants are to pay their rents into the hands of the Clerk of the Council, who is to retain them until further order, and petitioner is to cause a docquet to be made with the

names of the tenants and the sums due from them. As to the request for the liberty of his own house, petitioner knows well what is to be done by him to secure his enlargement, and when he has complied with his Majesty's directions, fitting order shall be given. And concerning the other requests, the resolution of the Board has been already declared. Signed by the Lord Deputy and seven others. Certified copy. 3 pp.

ACKNOWLEDGMENTS OF FINES.

1639, May 25.—Acknowledgment of fines by Lord Viscount Ely and Sarah his wife, taken at St. Mary's Abbey, in the county of the City of Dublin, before Gerrard Lowther, knight, Chief Justice of the King's Bench in Ireland. *Signed, Gerrard Lowther.*

1639, June 27.—Like acknowledgment by Sir Richard Dolben, Sir Samuel Mayart and Sir Edward Dolben, taken before the same, at the King's Inns of Court in Dublin. *Signed, Gerrard Lowther.*

1639, June 28.—Like acknowledgment by Sir Robert Loftus, taken before the same, at the same place. *Signed, Gerrard Lowther.*

1639, July 12.—Like acknowledgment by Sir Edward Loftus and Jane his wife, taken at York before Edward Osborne, William Wentworth and Edward Wyghtington. *Signed by all three. Latin. Copy. 1 p.*

ORDER IN COUNCIL.

1639, June 11.—That a *dedimus potestatum* be issued forth into England, that Sir Edward Loftus and his wife may there acknowledge the fines already acknowledged by the Lord Chancellor and his lady; that counsel on both sides are to be heard before the Board next Tuesday, concerning the conveyance of lands to Sir Robert Loftus, and that—whereas Sir John Gifford has followed the suit as brother to Sir Robert's wife (now lately deceased) and her issue, has done what became a brother for a sister, appears to have had good ground of suit, and has done nothing unfitting therein—the said Sir John stands free from making the reparation demanded by the Lord Chancellor for accusations of “deep and direful imprecations” made by Sir John against his Lordship. *Signed by the Lord Deputy and seven others. 3¼ pp.*

DECREE of the LORD DEPUTY and COUNCIL.

1639, June 18.—This day being appointed for hearing both sides concerning the arrears to be paid to Sir Robert Loftus, and the Lord Chancellor's counsel (Mr. Martin) having shown no sufficient cause why his Lordship should not pay the same, he is hereby ordered to do so. And whereas—although Lord Dillon, the Lord Chief Justice of the Common Pleas and the Master of the Rolls reported that his Lordship was willing to satisfy the Board concerning the assignment of his rents, &c. (for contempt of which

he stands committed)—he has given no such satisfaction, but offers only his own security, and has never put in the objections on which he grounds his appeal, so that there is just cause to presume that he has no intention to conform to the orders of the Board, but is only trifling with us; and whereas also his Lordship is now so well recovered from his sickness (which moved us to give way to his removal from the Castle of Dublin to his own house) as he is in perfect health and therefore there is no cause why he should longer stand removed from the Castle: It is therefore ordered that the Constable do forthwith return him from his own house to the Castle, there to remain in close imprisonment as before.

It is further ordered that William Walker (nominated by Sir John Gifford) be sent to England with the fines and conveyances which are to be there perfected by Sir Edward Loftus, and that the Lord Chancellor pay him 6*l.* 13*s.* 4*d.* for his charges:

And that the rents, entertainments, pensions and profits due or accruing to the Lord Chancellor are to be sequestered into the hands of the Clerk of the Council, to whom the tenants are to carry their rents; the Lord Chancellor being again ordered to have a docquet made with the names and sums due, and also to sign a discharge for all entertainments, &c., to be delivered to Mr. Vice Treasurer and the Clerk of the Hanaper, who are thereupon to give up to the Clerk of the Council what moneys are in their hands. *Nine signatures. Certified copy. 4 pp.*

Petition of LORD CHANCELLOR LOFTUS to the
LORD DEPUTY and COUNCIL.

1639, June 22.—He and his wife have passed a fine for the conveyance of their lands, and a commission has issued for obtaining his son Edward's acknowledgment in England; he is ready to exhibit the grounds of his appeal to the King; and although he has only offered his own security for depositing the money decreed against him, he can give no other, in regard that his estate is wholly sequestrated, and therefore prays that it may not be considered a contempt of their orders. 1 *p.*

Underwritten,

*Order of the Council upon the above petition, that, in order to facilitate petitioner's liberty, all rents, &c., that hereafter become due to him shall be deposited, like the former ones, in the hands of the Clerk of the Council, and that Sir John Gifford accept petitioner's personal security "in a statute staple of 4,000*l.* with a defeazance for the petitioner's performance of this order." And in case petitioner conform thereto, the Constable is to forbear execution of the order for returning his Lordship to the Castle. Nine signatures. Certified copy. 2½ pp.*

SIR JOHN GIFFORD.

[1639, July 22?—"A bill of such costs as have been expended by the plaintiff in this cause since the first of February,

1638." [The document is so headed, but the items range from April 13, 1638, to March 26, 1639.]

For two orders for issuing forth of two commissions - - - - -	1	0	0
For a letter from the Lord Deputy and Council to the Lord Chancellor - - - - -	10	0	
For affidavit of delivering that letter and for a copy of it - - - - -	2	0	
For an order of the Board [<i>this item occurs 17 times</i>] - - - - -	6	0	
For two commissions - - - - -	1	7	4
For affidavit of shewing a warrant of summons from the Lord Dillon and other Commissioners to the Lord Chancellor and for a copy - - - - -	2	0	
For affidavit of showing a warrant of summons from Sir James Ware and Sir Philip Percivale to the Lord Chancellor and for a copy - - - - -	2	0	
To Counsel for drawing interrogatories - - - - -	6	0	0
Paid to witnesses for their necessary travelling charges to Dublin - - - - -	12	10	0
For an affidavit of showing an order of the Board and for a copy [<i>this occurs six times</i>] - - - - -	2	0	
To Counsel to move for publication - - - - -	1	0	0
To the Clerk of the Council for the books of the depositions concerning the time of the marriage of Sir Robert Loftus - - - - -	15	5	
For a copy of the depositions concerning the value of Dromnogh and the tithes of Rathmichell - - - - -	1	7	0
For copies of the depositions taken before Lord Dillon and other Commissioners - - - - -	3	2	3
For an order for publication of depositions taken before the Clerk of the Council - - - - -	3	0	
To Counsel to move for publication of depositions taken before the Lord Dillon, &c. - - - - -	1	0	0
For an order for publication - - - - -	3	0	
To Counsel on a day of hearing - - - - -	4	0	0
For an order of reference to the Chief Justice and Chief Baron - - - - -	6	0	
To Counsel, the first time we attended the Judges upon that reference - - - - -	4	0	0
To Counsel the second time we attended - - - - -	4	0	0
To Counsel the third time - - - - -	4	0	0
For a letter missive from the Judges to the Lord Chancellor - - - - -	10	0	
For a certificate from the Judges - - - - -	5	0	
To Counsel for drawing the conveyances of the Lord Chancellor's lands - - - - -	4	0	0
Paid to Mr. Steven Stevens for fees for the fines - - - - -	2	5	0
Paid to my Lord Chief Justice's man for fees - - - - -	16	8	
To Counsel for drawing a defeazance - - - - -	1	0	0
Total, 60 <i>l.</i> 0 <i>s.</i> 8 <i>d.</i>			

Underwritten,

*Reference of the above, by the Council, to the Master of the Rolls and Mr. Secretary, to consider of and certify.
Signed, R. Dillon and four others. July 22, 1639.*

CHARLES I. to LORD DEPUTY WENTWORTH.

1639, July 23. Court at Berwick.—“Whereas our right trusty and right beloved cousin and counsellor, the Earl of Holland, hath shewed unto us not only a letter from our Chancellor of Ireland, wherein he gives assurance of his punctual performance of all things required by us but also the act and deed of the said performance under the hands and seals of divers of our council there intrusted in that business: We do therefore now find it fit and accordingly expect and require, that he having thus fully and really satisfied the order and decree, should now be dismissed and suffered to come over to prosecute his appeal; wherein we doubt not of your readiness, who have always professed there was no delay but in himself, and will give him no just cause to complain of denial of that justice which we grant to all our subjects.” *Sign Manual. Countersigned by Secretary Coke. Remains of signet.* $\frac{1}{2}$ p.

Endorsed:—“Received the 1st of August, 1639, by Serjeant-Major Bridiman.”

ORDER in the COUNCIL of IRELAND.

1639, July 23.—Upon motion of Serjeant Sambach, for delivery to plaintiff of a copy of the docket given in by the Lord Chancellor of his tenants and their rents. *Signed by the Lord Deputy and six others.* $\frac{1}{2}$ p.

COUNCIL of IRELAND.

[1639, before November 19.]—Answers to the grounds of Lord Loftus's appeal. 7 sheets.

KING CHARLES I.

1639, November 19. Whitehall.—The Lord Chancellor Loftus's appeal against the decree of the Lord Deputy and Council, of Feb. 1, 1637[-8], having been heard in the presence of the Lord Deputy, some of the Council of Ireland, the Lord Chancellor and his son Sir Edward, and the agent of Sir John Gifford, his Majesty has declared the appeal to be without good grounds, and the decree to be “just and equal in all the parts thereof.” Wherefore his Majesty doth absolutely confirm the said decree, and commands the same to be put in execution and obeyed. *Certified copy.* $1\frac{1}{2}$ pp. [Printed at length in Report IX, part 2, p. 298.]

Same date.—His Majesty having this day heard the cause of appeal by the Lord Chancellor of Ireland, did appoint to hear

the residue of the charges against him on Tuesday next, November 26, after dinner, when all parties, with their counsel, are to attend. *Copy.* $\frac{1}{4}$ p.

Same date.—His Majesty having this day heard at the Board a long debate by Council learned on both sides concerning two other of the charges sent by the Lord Deputy and Council of Ireland of sundry misdemeanours and irregularities committed by the Lord Chancellor there, viz. in the cause concerning Edward Jacob, and in the cause between Dr. Medcalfe and George Harpoole and others, in the Chancery of Ireland; wherein his Majesty and the Board “remain unsatisfied of the clearness and integrity of the said Lord Chancellor’s proceedings; and however the said Lord Chancellor did allege that he had not the means to make proofs on his side in the said causes, yet it did appear that the default thereof rested wholly in himself: And his Majesty and the Board being satisfied upon the several hearings, that the said Lord Chancellor is guilty of the delivery of the negative voice of the lords refusers to contribute for the maintenance of his Majesty’s army in the time of the Lord Viscount Falkland, late Lord Deputy of Ireland; and finding it sufficiently proved that he did come out of Ireland before a legal license obtained and contrary to that which he pretended himself to the said Lord Deputy and Council and was directed by his Majesty; and did otherwise insolently behave himself towards the said Lord Deputy and Council: His Majesty did this day, upon all the aforesaid considerations, declare with the unanimous advice of the whole Board the said Lord Viscount Loftus of Ely to be unfit any longer to hold the place of Lord Chancellor of Ireland, being of so great a trust and importance for his Majesty’s service, and the quiet and preservation of his subjects in that kingdom.” His Majesty will not proceed to any other censure against Lord Loftus at this time (in regard he alleges that he has yet made no proofs) but leaves the said charges and such others as shall be thought fit, to be prosecuted against him legally in the Star Chamber by his Majesty’s Attorney General. *Signed by eighteen of the Privy Council.* *Copy.* 1 p.

The KING to the LORD DEPUTY and COUNCIL of IRELAND.

1639, December 6. Palace of Westminster.—We send you enclosed an order signed by our Privy Council here, containing our final decree given upon full hearing of the Lord Chancellor’s appeal against your order and decree, requiring you to cause it to be solemnly published at the Council Board and registered in the Council Books there.

And seeing that we have entirely confirmed your said order and decree, and have approved all your proceedings, you are to cause them and all your subsequent orders in that cause to be fully obeyed and performed, that Sir John Gifford and the rest of the parties concerned may receive the full benefit of our justice. And if any persons refusing due obedience be out of your jurisdiction, you are to certify us of their contempts, that we may give further directions in the same. *Copy,* 1 p.

ORDERS of the LORDS JUSTICES and COUNCIL.

1639[-40], February 11.—Giving directions concerning the transference of the Lord Chancellor's entertainments, pensions etc. to the Clerk of the Council, his Lordship having departed the kingdom without signing the discharges ordered by the Board. *Copy.* 3 pp.

Same date.—Decreeing that Sir Edward Loftus—this day presented before them by Thomas Walsh, messenger, in pursuance of an order of Secretary Cook,—be committed to the Constable of the Castle until he has made reparation to the Lord Lieutenant and Sir George Ratcliffe, paid the moneys (as previously ordered) to the widow of George Hartpoll, and answered Samuel Powell's petition; and that, his former punishment for departing the realm having wrought no reformation in him, he shall not be released until the Board "shall prescribe such a course to be held herein concerning him as may be not only a further punishment to the said Sir Edward Loftus, but also an example for others to take warning by." *Certified copy.* 3 pp.

LORD DEPUTY and COUNCIL.

1640, July 9.—Upon information that Lord Loftus has signed the discharges sent to him in England; order that the Vice-treasurer and Clerk of the Hanaper (upon receipt of the discharges) give up the monies in their possession to the Clerk of the Council; and—whereas his Majesty has dismissed Lord Loftus's appeal, and confirmed the decree of the Lord Deputy and Council—that the Clerk of the Council, after defalking two sums of 50*l.* and 75*l.* due to his Majesty by Lord Loftus for subsidy money, and also 6*d.* in the pound on the rents, etc. as allowance to himself, do pay the residue to Sir John Gifford (for the use of Sir Robert Loftus) or to Sir George Wentworth, towards the raising of the 3,342*l.* 8*s.* 9*d.*, and towards making good the 55*l.* *per annum* formerly mentioned. *Signed by Chris. Wandesford and six others.* *Certified copy.* 3½ pp.

ADAM, VISCOUNT LOFTUS, to SIR GEORGE RADCLIFFE.

1640, August 12.—"Not long before my Lord Lieutenant's great sickness, his Lordship was pleased, at the motion of some friends of mine, to express his honour's readiness and willingness to int[erest?]⁹ and contribute his Lordship's best assistance and in[terest?] for procuring of my freedom from these . . . and entanglements wherein unfortunately I stand intricated, occasioned by reason of his Lordship's disfavour towards me and the mistaking of my own ways; yet nothing hath been done therein, the cause in the Star Chamber excepted, by r[eason] his Lordship's weakness continued so long, who [is], God be thanked, now in better strength. I make earnest request unto you that

* The ends of some of the lines are decayed by damp.

you would not on[ly] be pleased to put his Lordship in mind of me, but [to] mediate some good and favourable end for me; as that I knowing what to trust to, and ho[w to] dispose of myself, may determine my [days] which are near an end, in peace and rest. The matters which I humbly desire to be moderated, [my] former letters to his Lordship doth specify, and are [so] well known to his Lordship and yourself that I shall not n[eed] to particularize any of them, but do with all humi[lity] submit the same to his Lordship's further pleasure. The decree doth require me to pay my son 3,300*l.* or thereabouts for an arrear of 200*l. per annum* claimed for eight years whilst my son and his wife lived with me. This sum, if it be admitted to be due, yet it doth amount to no more than 1,600*l.*, and therefore the overplus may in equity be abated and left unto me, towards the transportation of myself and family, that are destitute of all means either to go or stay, if it would please his Lordship to condescend thereunto; and if his Lordship shall think the surplusage too much, to proportion it according to his Lordship's good pleasure, which is my humble and earnest suit for the present. Pardon, I beseech you, my boldness, which an inevitable necessity hath enforced from me, and make me bound unto you as a principal means of my deliverance." *Signed.* 2 pp.

ADAM, VISCOUNT LOFTUS, to SIR GEORGE RADCLIFFE.

1640 [August?] 18.—“I am very desirous to know whether you have remembered me to my Lord Lieutenant as yet or no, and what hopes I have to be delivered out of this thralldom wherein I am. I conceive that the three thousand three hundred and odd pounds is fully paid with overplus if the money be received according as I delivered in my rental. And thus expecting to hear from you some tidings of comfort, I rest,” &c. *Signed. Seal of arms.* $\frac{1}{2}$ p.

SIR ROBERT LOFTUS.

[1640, October 27.]—Probate Act of the nuncupative will of Sir Robert Loftus, knt. of Mellefont, deceased, granting administration to James, Archbishop of Armagh and Charles Lord Moore, of Mellefont, Viscount Drogheda, named as executors in the same. Also note of letters of tuition of Henry and Anne Loftus, children of the deceased, granted to the said Lord Moore, Nicholas Barnewell, and Nicholas Loftus, October 29, 1640. *Certified copy by Nath. Neville. Latin.* $\frac{3}{4}$ p.

Resolutions in the HOUSE OF COMMONS.

1640[-1] January 6.—Upon Mr. Pym's report in the cause of Lord Chancellor Loftus; 1. That the decree of the Lord Lieutenant of Ireland and the proceedings thereon are illegal and ought to be cancelled; 2. That the assurances made in pursuit thereof ought to be vacated and the lands re-conveyed to Lord

Loftus; 3. That Lord Loftus ought to be restored to the profits of his lands and to have satisfaction from those who have received the rents by colour of their sequestration; 4. That his Lordship's statute of 4,000*l.* should be vacated; 5. That he should have satisfaction for damages sustained by the decree from the Earl of Strafford.

The House likewise thinks fit that when reparation is demanded for Lord Loftus, "the particular concerning his secretary shall be mentioned, and reparation demanded for him likewise."

With the names of the committee appointed to prepare a representation to the Lords of this and other causes presented by Mr. Pym. *Signed*, Will. Goldesbrough, clerk of the House of Commons; and *certified by James Phillips as a true copy of the record remaining in the hands of Goldesbrough, May, 1671. 2 pp.* [*See Commons' Journals*, ii, 64.]

Declaration of the HOUSE OF COMMONS.

[1641, September 9.*]—That the decree of the Lord Deputy and Council of Ireland, of Feb. 1, 1637[-8] ought to be made void. *Certified copy, made in the Parliament House in 1671 by James Phillips. 12 sheets of paper. [Printed in full in Report IX. of the Hist. MSS. Commissioners, Appendix, p. 315. Substance given in Calendar of MSS. of the House of Lords, Report IV, p. 101.]*

Observations concerning divers of the parties complained of by the LORD LOFTUS.

1641[-2], March 24.—"1. The only party concerned in interest is Ann Loftus, an infant of tender years to whom the Lady Jepson and Sir John Gifford are guardians or next friends.

2. Sir John Gifford is in arms against the rebels and so hath been ever since the beginning of November last.

3. The Lady Jepson his mother (with whom the deeds and writings remain) is, and long hath been, besieged and distressed by the rebels in Leinster at Castle Jordan.

4. Sir George Wentworth is by assent or direction of the House of Commons attending his charge and employment against the rebels, and went from London to that purpose on or about the last day of February last.

Note.—That none of these parties have answered or examined one witness.

The reason.

Sir John Gifford could not in respect of the distractions in Ireland aforesaid and for the same reason the Lady Jepson could not answer in behalf of the infant as grandmother and guardian unto her.

Sir George Wentworth did not answer in respect he humbly conceived that their Lordships' general order for deferring

* On this date, the engrossed Declaration was read in the Commons and sent up to the Lords. See *Commons Journals*, ii, 284.

businesses that were private dispensed therewith, and now in respect of his absence cannot answer nor attend to defend the cause. And no witnesses have for them been examined in regard that to examine witnesses before answer is contrary to the course of all courts of justice as was informed." 1 p.

Endorsed :—"Mr. Lightfoote's note concerning the Lord Loftus," and with date as above.

HOUSE OF LORDS.

1642, April 20, May 3.—Proceedings concerning Lord Loftus, and reversal of the decree of Feb. 1, 1637-8. [*See Lords Journals, Vol. v., pp. 6, 38.*]

Underwritten,

Certificate by Henry Scobell, Clerk of the Parliament, that upon diligent search made in the Journals of the late House of Peers, he finds no order whereby any guardian was assigned to Anne Loftus as a defendant in the cause of the Lord Viscount Ely, nor any mention made of any counsel heard for her in particular, nor of any other counsel on the defendant's part other than is mentioned in the above copy of the proceedings on April 20. Undated. 1½ p.

1642, May 5.—Order, in consequence of the press of public business, that all private petitions are to be deferred until Michaelmas term. *Copy. 1 p.*

The LORDS JUSTICES and COUNCIL of IRELAND to [LORD LYTTTELTON], Lord Keeper of the Great Seal of England.

1642, May 11. Dublin Castle.—"Not long after the breaking out of this hideous and cruel rebellion in this kingdom the Lady Jepson and her son Sir John Giffard, knight, were constrained to betake themselves to their house or castle of Castle Jordan in the county of Meath, about thirty miles from this city. Standing upon their guard and necessary defence against the rage and fury of the bloody rebels, and having been dispoiled by the rebels of all their estates, which they could not keep within their gates, and their English tenants being robbed of all their substance, they were forced for preservation of the persons of these poor English (their tenants) to take them home to them, and have all this time (out of the little left to themselves), preserved them alive, and relieved them to their great and insupportable charge. And they with those English have been this long time so beleaguered by the rebels, as they have been and still continue in great danger, yet sometimes Sir John Giffard took opportunities to sally out with some parties of men, and slew and wounded at several times divers of the rebels, and with much difficulty and danger (notwithstanding many threatening messages and menaces from the rebels) hath hitherto preserved against them that place and those English there with him, who had been otherwise ere this time destroyed by the rebels. And the ways and passages between that place and this have been these five months

past and still are so blocked up by the rebels (who swarm in great multitudes in all the passages) as there is yet no possibility for the Lady Jepson or her son Sir John Giffard to come hither without the strength of an army to guard them, or if Sir John should depart thence it might beget very great prejudice to the public service in that part of the country, and give too, too much advantage to the rebels towards destruction of that place and all the English there. All which particulars at the humble suit of Sir George Wentworth, knight, son-in-law to the said Lady Jepson, we do hereby certify to your Lordship, to the end you may be pleased to take an opportunity to make the same known to that most honourable House." *Signed*: William Parsons, John Borlase, Ormond Ossory, Ch. Lambert, Ad. Loftus, Roscommon, Ro. Digbye, J. Temple, Fr. Willoughby, Ja. Ware, Geo. Wentworth. *Certified copy.* 3 pp.

THE LORDS JUSTICES AND COUNCIL OF IRELAND.

1642, July 29. Dublin Castle.—Permission to Sir Paul Davys, Clerk of the Council, to deliver the writings and evidences in his hands (relating to the Lord Viscount Loftus's lands) to John Loftus, agent of the said Lord Viscount, in pursuance of the order of the English House of Lords of May 3 last. *Ten signatures.* *Certified copy.* 1 p.

SIR GEORGE WENTWORTH.

1647, April 2.—Order in the House of Lords that Sir George Wentworth produce his witnesses concerning his authority for using certain moneys for redeeming Sir Robert Loftus's estate. *Certified copy by John Browne, Clerk of the Parliament.* 1 p. [*See Lords' Journals, under date.*]

1647, April 7.—"Notes out of the Journal Book in the House of Lords . . . by which Sir George Wentworth was discharged of the order of the 3rd of May, 1642." *Certified as above.* 1 p. [*See Lords' Journals, under date.*]

PETITION OF ANNE LOFTUS TO THE HOUSE OF LORDS.

[1647 ?*]—About twenty-four years since, Adam, Lord Loftus, on the marriage of petitioner's father to one of Sir Francis Ruisshe's daughters (with whom he had a great portion and estate in money and land), agreed to settle lands upon petitioner's father and mother and their heirs, which agreement not being performed, was decreed upon in Ireland, and the same decree was (upon appeal by Lord Loftus) confirmed by the King. In May, 1642, this decree was reversed by your Lordships, and the trustees by it appointed were ordered to reconvey their

* Possibly a draft for the petition of April 12, 1647, calendared amongst the MSS. of the House of Lords, Report 6, p. 169. The marriage was in 1621, but many of the petitions are inaccurate as to date (see p. 217 below) and there do not appear to have been any proceedings until Anne came of age in 1647.

interest to Lord Loftus, but withal, your Lordships most honourably provided that the lands descendable to heirs general should come to petitioner as heir general to the said Adam, Lord Loftus.

Yet petitioner craves leave to show that which she humbly conceives ought to have been, but was not, then shown to your Lordships, viz.:—

1. That neither Sir John Gifford, at whose suit the said decree was made, nor Lady Jepson, petitioner's grandmother and guardian, nor yet petitioner, then an infant, were made parties to the suit, or if any were made parties, they were served with no orders to answer thereunto.

2. That the lordship of Cry Eustace and other lands were purchased in the name of petitioner's father, and therefore ought to descend to petitioner.

3. That the 2,000*l.* ordered by your Lordships has not been paid or secured to petitioner, "so as upon the whole matter your petitioner hath not the value of 12*d.* in land or otherwise" of the estate of her grandfather, or from her father, his eldest son.

Prays a re-hearing, and that such of the trustees as have not re-conveyed the estate may be commanded not to pass it until further order. 1 sheet. *Draft.*

Petition of ANNE LOFTUS to KING CHARLES II.

1649, July 6.—Briefly stating her case, and praying his Majesty, in consideration that his most royal father had confirmed what was decreed in her behalf, to send letters to his Lieut.-General of Ireland (who was a judge in this cause), to possess petitioner of the estate which had belonged to her father and grandfather. 4 pp.

Endorsed:—"A rough draft of petition," and with date as above.

Petition of EDWARD, LORD LOFTUS, to the PARLIAMENT of ENGLAND.

[1650, June, early in.]—At the beginning of this Parliament, the late Lord Loftus complained to the House of Commons against an unjust and cruel decree by the late Earl of Strafford at the Council Board in Ireland, which complaint was voted just and transmitted to the House of Lords with a declaration desiring his relief. And after many hearings, the Lords' House reversed the said decree and ordered Lord Dillon, [afterwards] Earl of Roscommon, Sir Adam Loftus and Sir Philip Manwaring (to whom the lands had been conveyed in trust) to reconvey them to the said Lord Loftus and his heirs male, which the Earl of Roscommon and Sir Adam Loftus did accordingly; but Sir Philip Manwaring "stood in contempt and was by order of the then Lords' House of the 10th of June, 1642, attached and in custody, escaped, and ordered to pay the costs from that time, and hath ever since obscured himself, been at Oxford and elsewhere, until now of late (being found out) he is in the custody of

Sir John Lenthall, knight, Marshall of the Upper Bench." And there being now no House of Lords or Chancellor of Ireland to see to the execution of the aforesaid order, petitioner prays that the Lords Commissioners of the Great Seal, or such others as Parliament shall think fit, may be authorised to do so, and that petitioner, the only son and heir of the said Lord Loftus, may enjoy the fruit of what Parliament decreed to him. 2 pp.

Petition of ANNE LOFTUS to the PARLIAMENT of the
COMMONWEALTH of ENGLAND.

[1650, June, early in?].—Albeit by the order of May 3, 1642, some provision was intended for petitioner, it is not so set down that she knows how to obtain the benefit thereof. By further order of June 24, 1642, Sir Philip Manwareing was ordered to seal certain re-assurances for petitioner's benefit upon a statute for 5,000*l.* to be entered into by the then and the now Lord Loftus, and Sir Philip is now pressed to seal the same, "yet is no such statute entered into." All which happened because petitioner was under age, and her uncle and grandmother and guardian absent in Ireland by reason of the troubles, where they were well-affected to the Parliament's cause. Prays a hearing and stay of execution of the orders of 1642, in the meantime. 1 p.

ORDER in PARLIAMENT.

1650, June 12.—Appointing a committee to consider the petitions of Edward, Lord Loftus, and of Anne Loftus, and to report thereon. *Copy.* 1 p. [*See Commons' Journals*, vi, 423.]

The COUNCIL of STATE to SIR JOHN LENTHALL, Marshal of the Upper Bench.

1650, June 14. Whitehall.—Warrant to take Sir Philip Manwareing into custody and commit him to the prison in Southwark (formerly known as the prison of the King's Bench, and now as the prison of the Upper Bench) for having been at Oxford when it was a garrison for the late King, and there executing the office of Treasurer at War for moneys levied for the King. *Signed*, John Bradshaw. *Certified copy.* $\frac{1}{2}$ p.

Instructions for ANNE LOFTUS's Case.

[1650, June?].—As the order of the House of Lords was made when Mrs. Anne Loftus was "in her minority and under the age of sixteen," and could by law make no answer save by a guardian appointed by the court, and as no such guardian was appointed, nor did Mrs. Anne even appear, either by herself, her guardian or her counsel, the said order is not binding, "for all judgments at the Common Law and all decrees in courts of equity made against infants that had no guardians assigned them by the court are erroneous and ought to be reversed,"

and the infants restored to what they lost thereby. "Therefore be sure to prove what age Mrs. Loftus was of when the order was made." $\frac{1}{2}$ p.

The Case of ANNE LOFTUS.

[1650, June?—Relates the proceedings since the first negotiations of Lord Loftus and Sir Francis Ruisshe "above twenty-six years ago." Her petition having been referred to a committee, where she doubts not but clearly to manifest the truth, it is submitted to judgment "whether a decree at the Council Board of Ireland, though inserted in the charge of high treason against the late Earl of Strafford (yet afterwards wholly waived, and not in issue at all upon the trial) should be made void by an order of the House of Lords" where petitioner, then an infant, was never heard by herself, her guardian or her counsel. *Signed.* $3\frac{1}{2}$ sheets of paper. [*The expression "above twenty-six years ago" would point to about 1647, but the document speaks of "the late King," and apparently relates to the proceedings of 1650.*]

The COUNCIL of IRELAND.

[1650, June?—Another brief of the case, *ex parte* Anne Loftus.—At the end of the case are some observations upon the jurisdiction of the Council Board in Ireland.

The Lord Chancellor was [at the time of the decree of 1637-8], and long had been a member of the Board, and had oftentimes been one of the Lord Justices of that kingdom, and knew what the jurisdiction of the Board was, as well as any man, and had himself, as Lord Justice, entertained, heard and determined many causes there. "And for a member of any Court to take exception to the jurisdiction of that court . . . is more than ever was seen or heard of."

"And although the common law of England hath for a long time been in force in Ireland, as to direct the descents of lands, and to be the rule whereby to determine all men's interests, rights and titles, both to lands and goods, yet the common law hath not had its free course in many parts of Ireland, nor amongst many of the Irish till of late years. And the constant use and practice ever sithence Ireland came to be under the English government doth manifestly show that in the manner of putting these laws in execution, it was not (in point of state) thought fit, for the preservation of the English interest, to leave the English, being but a few and strangers in that country, wholly to the breasts of Irish juries, or their ordinary courts of judicature, in regard of the many spread families of one name and kindred, and the power of the great Irish Lords.

"And wherein it is to be observed that Ireland was never long without some plantation or other, as first the English pale and afterwards at several other times several other territories in several parts of the country were, for the preservation of the English interest, set out for the English, which was always

distasteful to the old Irish, who have, for the most part, always used their endeavours to root out the English, as witness the frequent rebellions and often disturbances in that kingdom, where, in the most peaceable times, the hand was never off the hilt of the sword, there being always a standing army in readiness and a treasurer at war: and therefore to encourage and countenance the English plantators, it was most requisite that the Council Board should be armed with power more than ordinary, as the only means of preserving the English interest.

"By the statute of 35 Hen. VI. cap. 3, if any not amenable to law do enter and destrain, etc., with strong hand, contrary to law, unless they do first sue to the Deputy and Council and show their title, and thereupon have licence as may be thought lawful to the Deputy and Council, that they shall forfeit their land.

"This sheweth that the Parliament took the Council Board to be a place of judicature, to judge titles of land between party and party.

"It was ordered by the Council Board (in the Lord Chichester's time) that the Irish should not be dispossessed of their lands by others of the Irish upon pretence of bastardy in their ancestors. And that none should be sued for lands which he had held for three years before the death of Queen Elizabeth and until that time (upon pretence of bastardy in himself) in any other Courts but at the Council Board, and which order hath always been observed and obeyed.

"This sheweth that the Council Board did determine titles of land between party and party."

The Irish custom of gavelkind "being (3 Jacobi) resolved by all the Judges in Ireland to be void, yet by an order of the Council Board it was ordered, That such of the Irish as had enjoyed their lands by that custom before the beginning of King James his reign should be continued and established therein. And that sithence the beginning of the said King's reign, the same land should descend according to the course of the common law (*vide* Sir John Davis's Reports).

"By order of the Council Board, the Act of Tract was made in force in Ireland, and the judges in their circuits caused the same to be put in execution, until the very beginning of the Rebellion, which may seem strange in England.

"By order of the Council Board, the ministers of Dublin have all their maintenance, and by like order, the bishops and the rest of the clergy were prohibited, before the last Parliament, to make a lease for above twenty-one years.

"It hath always been the use and custom in Ireland that upon the Deputy's departure forth of the province of Leinster, a commission usually issues under the Great Seal, authorising the Council, in the Deputy's absence, to hear and determine suits, causes and controversies, and to administer justice therein according to the laws and customs of the realm, and then to enter into the Council Book an act, called a reciprocal act, whereby the acts and consultations of the Deputy in his journey and of the Council in his absence, stand reciprocally allowed and confirmed.

"The judges in their Circuits have heard above forty causes upon paper petitions for one action that hath been tried by a jury, as well for debts as also settling of possessions.

"Titles of lands have, by leading orders both from the Council Board and also from the Chancery, been tried by juries of foreign countries and by juries *de circumstantibus*. And the Council Board hath always administered oaths and granted commissions to examine witnesses between party and party, which none but courts of judicature and justice can do. . . .

"Two parts in three in Ireland was but of late years shire ground, and then how could the common law of England be put in execution in those parts that were not divided into counties, and where there were no sheriffs in the same manner as they are in England. For all the process of the common law are to executed by the sheriffs, and although subpoenas out of the Chancery may be served in any place, yet if there be no appearance, the attachments are directed to the sheriffs. So that there was a necessity that there should be some other place of judicature for the supply of those defects otherwise there must be a failure of justice."

The two Chief Justices, the Chief Baron of the Exchequer and the Master of the Rolls, have always been of the Privy Council of Ireland, to assist in matters of law, and many bishops and officers of the army, to give advice in matters belonging to their professions.

And the Deputy and Council have always had their pursuivants and serjeants of arms, who have forced obedience where the Sheriff's power did not reach, or where, "by reason of the many spreading families and power of the great Irishry" they could not execute the process of the common law.

It appears by the Council Books that for a hundred years the Council Board of Ireland have heard and determined causes between party and party, and therefore it is to be presumed that they have done the like ever since Ireland came first under the English Government; and the same power is now executed by the Commissioners at Dublin. And the privilege or jurisdiction of a court cannot be taken away but by Act of Parliament. 11 sheets.

JOHN WARTER to SIR JOHN LENTHALL, Marshall of the
Upper Bench.

1650, July 11.—Two certificates that bail has been filed for Sir Philip Manwaring in the several actions at the suit of Richard Leigh and Edward, Lord Loftus; the said Sir Philip may therefore be discharged. $\frac{1}{2}$ p.

Petition of ANNE LOFTUS to the COMMITTEE.

[1650 or early in 1651.]—Praying that, as by order of June 12 last, their Honours were empowered to hear the cause, they will examine her witnesses and order Lord Loftus to produce the conveyances to the Earl of Roscommon and other deeds. 1 p.

Petition of ANNE LOFTUS to the Supreme Authority of the Nation,
the PARLIAMENT of the COMMONWEALTH of ENGLAND.

1650 or early in 1651.—The petition preferred by petitioner about June 12 last having miscarried, so that she cannot get an authentic copy thereof, by reason of which some doubt is raised whether the committee appointed for this cause can proceed therein, she prays that the annexed copy of that petition may be proceeded on. Also that her witnesses may be examined, and that Lord Loftus may be ordered to produce the conveyances of the lands in question to the late Lord Rosecommon and others and all other writings delivered to him by order of the House of Lords, dated May 3, 1642, to be put into such hands as that petitioner's counsel may have recourse to them when required.
1 p.

Statement [by SIR PHILIP MANWARING].

[1650].—"I was committed by the Council of State to the Upper Bench prison the 14th of June, 1650, for being at Oxford with the late King.

"At the time of my commitment and before the Act for removing delinquents out of London [passed Feb. 26, 1649-50], I was prisoner under restraint of the same prison, upon an action of ten thousand pounds laid upon me, to which I could procure no bail, and yet the plaintiff never declared but took advantage of my being in prison to procure this warrant to continue me there, where I have lain now from the time I was first arrested, above eight months.

"I was never actually in arms against the Parliament, but served the late King at Oxford, in receiving some money to the King's use.

"My whole estate was lost in Ireland by reason of the rebellion. I have demeaned myself quietly ever since my removing from Oxford, and I have nothing for which I should compound. And I conceive by virtue of the Ordinance of Parliament for the confirmation of Oxford articles, my person ought to be free. $\frac{3}{4}$ p.

COMMITTEE OF PARLIAMENT for Lord Loftus.

1650[-1], February 11. Queen's Court.—Order for the summoning of witnesses, viz.:—

Sir Gerrard Lowther.

Sir James Barry.

Sir Paul Davis.

Sir Philip Manwaring.

Sir Adam Loftus.

Sir Robert Meredith.

Sir John Gifford.

Sir George Wentworth.

Sir William Sandbach.

Mr. John Browne.

Signed, Henry Marten. $\frac{1}{2}$ p.

1650-1, February 20.—Further order for the summoning of witnesses, viz.:—

Lord Lowther.

Mrs. Dury.

Sir Robert Meredith.

Mrs. Lettice St. George.

Sir John Gifford.

Mrs. Ursula Terwhitt.

Sir Paul Davis.	Mr. Philologus Forth.
Sir William Sambach.	Mrs. Newbie.
Sir George Wentworth.	Mr. Crutch.
Lady Anne Meredith.	

Signed, Henry Marten. 1 p.

1650-1, February 26.—Order for Sir George Wentworth to appear as a party in the cause of Lord Loftus and Mrs. Anne Loftus. *Signed*, Henry Marten. $\frac{1}{4}$ p.

1650-1, March 7.—Further order for the appearance of the witnesses above mentioned.

1650[-51], March 7. Queen's Court.—Order of adjournment to Tuesday next. Present: Major Lister, Mr. Robinson, Sir John Danvers, Sir John Bourchier, Col. Martin. *Minute*. $\frac{1}{2}$ p.

1650[-1], March 11.—Summons for witnesses to attend on Wednesday the 19th inst., the names being the same as in the summons of Feb. 20, with the addition of Mr. Throckmorton and Mrs. Hide. *Signed*, Henry Marten. $\frac{1}{2}$ p.

1650[-1], March 19.—A like summons for the 25th inst., but with the addition of Mrs. Anne Marchant. $\frac{1}{2}$ p.

1651,* March 31.—Lord Loftus having desired the examination of some further witnesses, and especially John Fountain, Esq., counsellor at law, the said Mr. Fountain is desired to attend at the meeting of this Committee at the Queen's Chamber on the 5th of April next, and notice is to be given to the other party in the cause. *Signed*, Henry Martin, John Bourchier, Tho. Lister. *Copy*. $\frac{3}{4}$ p.

1651,* April 5.—Further order for Mr. Fountain to attend on April 6. *Signed*, Henry Marten, J. Danvers, J. Chaloner. *Copy*. 1 p.

EDWARD, LORD LOFTUS.

1651, April.—“The case of Edward, Lord Loftus, now depending before a Committee of Parliament where Col. Henry Marten has the chair,” giving a brief of the proceedings from Feb. 1637-8, and humbly submitting “whether after nine years time the judgment of a parliament shall be again examined.” 1 sheet of paper.

COMMITTEE FOR LORD LOFTUS.

[1651, April?].—Having heard Lord Loftus and Mrs. Anne Loftus upon the respective petitions by them presented to Parliament, which petitions were referred to this Committee, and finding that at the time of the order in the house of Lords of May, 1642, the said Anne Loftus was under age and was

* These two orders are dated 1653 in the copies, but this Committee was then no longer sitting.

represented by no guardian or assigns, the Committee leaves it to the judgment of Parliament whether or no the said Anne ought to be bound by the said order. *Copy.* $\frac{3}{4}$ p.

Petition of EDWARD, LORD LOFTUS, to the PARLIAMENT.

1652, August 27.—The trustees to whom the late Lord Loftus's estates were conveyed having been ordered by the House of Lords, in the year 1642, to reconvey the same, two of the trustees, Lord Dillon and Sir Adam Loftus, made a reconveyance accordingly, but Sir Philip Manwaring refused and went to Oxford to the late King, whereby the business was delayed for upwards of seven years. On his return to London, about April, 1650, he was committed to the Upper Bench upon the Council of State's order, where he remained till of late, but now (although upon his petition of May 1650 Mr. Scott had directions to require Sir John Lenthall to keep him in custody until further order of the House) he has got himself discharged by an order of the Council of State upon inconsiderable bail, and intends shortly to depart this Commonwealth.

Petitioner being deprived of all his estate in Ireland by the late Earl of Strafford's unjust decree, and having no estate left but in right of his wife, "being Middleham Castle in Yorkshire, by commission from the late Earl of Essex, General, did make the same a garrison and defended the same at his own charge, which cost him 1,500*l*. And upon the incursion of the late Duke Hamilton with the Scottish forces, by the command of Major-General Lambert, did make the same a garrison again, which cost him 500*l*. more at least, as by a certificate in the hands of Mr. Peter Darnhill [Darnell] doth appear; which moneys he had no means to raise but by mortgage of the said Castle, which he engaged for 2,000*l*.; and for non payment the same is forfeit and seized upon."

The loss he has sustained in Ireland for adhering to this Parliament amounts to above 140,000*l*. Since the reducing of Ireland, the yearly revenues of all his estate there has gone to the maintenance of the Parliament's army there, which was worth 4,000*l*. a year.

By reason of which premises, he has been a prisoner in the Upper Bench prison for twenty months last past, and forced to borrow money for his livelihood and sustenance.

Prays that he may have the same directions from the House as before; that Sir Philip Manwaring may be remanded into custody, until he makes the re-conveyance ordered by the House (for if he should depart the Commonwealth without doing so, it would tend to petitioner's utter ruin) and that petitioner may receive his first debt of 2,000*l*., and some recompense out of the estates of the Earl of Ormond, the Lord of Clanmalyre, Morrice Fitzgerrald esquire, and Capt. Virginus Dornell in Ireland, for the damages sustained through their rapine, burning and plundering. Also that he may have reparation for his

damages by reason of the unjust decree out of the Earl of Strafford's estate, which damages amount to no less than 3,000*l*. Noted as referred on August 27, 1652. $2\frac{1}{2}$ pp. *Copy*.

Also, Reference of above to the Committee of Petitions. $\frac{1}{2}$ p.

COMMITTEE of PARLIAMENT for TRIAL of PETITIONS.

1652, September 16.—Referring Lord Loftus's petition to the sub-committee formerly appointed to peruse and report upon the papers annexed thereto, viz. :—

Mr. Say.	Col. Harvy.
Mr. Trenchard.	Mr. Nelthrop.
Col. Dove.	Mr. Hallowes.
Col. Bossville.	Mr. Lenthall.
Col. Sidney.	or any two of them.

Signed, Carew Raleigh. *Certified copy*. 1 p.

Petition of ANNE LOFTUS to the COMMITTEE for TRIAL of PETITIONS.

1652-3, January 20.—Lord Loftus has prayed that Sir Philip Manwaring may be committed to prison until he make a re-conveyance of his lands, and his petition is, by your order of Sept. 16 last referred to a sub-committee: but as the matter was in 1650 referred to a special committee, who have taken much pains therein and are ready to report, petitioner prays that no further proceedings be had before this committee until the former committee, before whom it is still pending, shall have made their report. 1 *sheet of paper*.

Also, Reference of Mrs. Loftus's petition to the same sub-committee to whom Lord Loftus's petition touching Sir Philip Manwaring was referred, who are to see what proceedings there have been in the former committee and whether they prepared a report. *Dated as above*. 1 p.

Petition of RICHARD BARRET and ANN [LOFTUS] his wife, to the COMMITTEE for TRIAL of PETITIONS.

[1653, earlier in?].—Edward, Lord Loftus, having lately preferred a petition to the Parliament of England, which, by an order dated about August, 1652, stands referred to this committee; and the matters therein complained of having been referred by a former order of June 12, 1650, to a committee appointed for this cause, whereof Col. Henry Martin had the chair, where several votes passed, and the chairman was appointed to make report to Parliament: petitioners pray that they may be dismissed from further attendance of this committee, and left to attend the judgment of Parliament upon the said report. $\frac{1}{2}$ p.

Certificate by COL. HENRY MARTEN.

1652-3, March 2.—That the matters complained of in Lord Loftus's petition, referred to the Committee of Petitions in

August, 1652, have for long been under reference to a former committee appointed solely for this cause, whereof he (Marten) had the chair, and by whom (after several debates held and votes passed) he was appointed to make report to the House, which report remains in his hands. *Signed.* $\frac{1}{2}$ p. [*There is also a copy of this certificate, dated Feb. 26, but in the original the date is in Marten's own hand.*]

SIR PHILIP MANWARING'S Brief.

[1653, July-Dec.]—Sir Philip Manwaring is summoned by warrant of Mr. Anlaby, chairman of the committee of prisons and prisoners, upon a petition of Lord Loftus, but as no copy of it could be obtained, and it was not read (but only Mr. Fountain made a little relation of part of it), we know not what the complaint is.

The question is of the delivery up of a trust conveyed to Sir Philip Manwaring by Adam Lord Loftus, his sons and their wives, as to which there is a claim made by Mr. Barrett in right of his wife.

Sir Philip ought not to deliver up his trust:—

1. Because title is made to the whole estate by Mr. Barrett and his wife, yet they are not made parties to the petition.

2. This very trust was complained of by Lord Loftus to the late Parliament and under reference to a special committee, who had a report ready to present to Parliament. Of this committee Mr. Cary,* a member of the present parliament, was part.

3. Sir Philip conceives that his trust has not relation to the decree in Ireland, but only to the judgment of the late King on Loftus's appeal.

4. He is satisfied in his own judgment (confirmed by learned counsel) that his trust doth properly belong to Mrs. Loftus, wife to Mr. Barrett.

5. The order of the Lords of May, 1642 (the only one which mentions a delivery of his trust) has been and still is appealed against as unjust.

Sir Philip Manwaring has no intention to depart out of England, and although he is ready to put in security not to do so if there is any act of parliament requiring it, yet otherwise he conceives it a restraint contrary to the liberty of the subject. The law is open for Lord Loftus to prosecute Sir Philip, and upon sufficient cause shown, he may sue out a writ.

We do not find that this committee hath any power to determine titles, and this trust is a title, and the parties concerned are ready to make their title good before any judges that have power to hear and determine the same. 2 pp.

* Or Carewe, John, who sat for Tregony in the Long and for the county of Devon in the Nominated Parliament. This fixes, approximately, the date of the petition.

Petition of SIR PHILIP MANWARING to the COMMITTEE
for PRISONS and PRISONERS.

[1653?]—Stating, in answer to Lord Loftus's petition, that he does not conceive that his Lordship has established any claim to the property in question, and that although he "takes not upon him to meddle with the title thereof," yet he believes the right to rest with Mrs. Anne Loftus, and that he is bound in conscience to be faithful to his trust. *Draft.* 2 pp.

ORDER of the PROTECTOR.

1653[-4], February 6.—His Highness' pleasure is that Sir Philip Manwaring do seal and execute forthwith a re-conveyance to the Lord Loftus and his heirs according to a decree of the House of Lords, of the 3rd of May, 1642. *Signed*, Lisle Long. *Certified copy.* $\frac{1}{2}$ p.

Petition of SIR PHILIP MANWARING to the PROTECTOR.

[1654, February.]—Having had notice of his Highness' pleasure (signified by Mr. Long, Master of Requests), that he should forthwith seal and execute a conveyance to Lord Loftus and his heirs, petitioner humbly represents:—

That he is a person only trusted for the daughter and heir of the elder brother of Lord Loftus, now the wife of Richard Barrett, Esq., and cannot without breach of trust make such conveyance "unless the heir be likewise concluded";

"That the Lord Loftus hath never manifested any right to have the lands conveyed to him in case the Lords' order (which appointed them to be conveyed unto his father) were just and not to be questioned, seeing the said Mrs. Barrett is her grandfather's heir at law, and a disinherison is not to be presumed without sight of evidences";

That although petitioner claims nothing to his own use, and desires only to discharge a good conscience, yet he holds it his duty to acquaint his Highness "with the interest which is in him for the heir . . . and complains of the said Lords' order made against her, an infant, unheard, uncalled and without any guardian assigned," humbly submitting himself to his Highness' orders. 1 p.

Petition of RICHARD and ANN BARRETT to the PROTECTOR.

[1654, February?]—Briefly reciting the facts of the case, complaining that while they were preparing an appeal to the Protector Lord Loftus has obtained "some signification" from his Highness for Sir Philip Manwaring to execute a conveyance to him according to the Lord's order of May 3, 1642, and praying for a hearing by his Highness and that Sir Philip may not be required to destroy the trust reposed in him. 1 sheet.

JOHN and WALTER STANLEY.

1654, July 21. Dublin.—Memorandum presented to Sir Gerard Lowther, Sir Edward Bolton, James Donelan and Thomas Dongan, esquires, in the case of Stanley, &c., v. Barrett and Loftus.

On February 23, 1652[-3], John and Walter Stanley preferred a petition to the Commissioners of the Commonwealth of England for the Affairs of Ireland, against Richard Barrett and Anne his wife, showing that on or about May 13, 1640, Sir Robert Loftus became indebted to petitioners in the sum of 1,100*l.* sterling, for which he gave them a statute staple of 2,200*l.* upon his estate; that the petitioners had paid great taxes and loans, laid on them from time to time in this city since the beginning of these wars towards the maintenance of the army; that they had assigned 900*l.* of the said statute to one Mr. John Orlibeer, in satisfaction of a debt they owed him, and that there remained owing to them, on Sir Robert's lands—whereof Dunsinke and Scriblestowne is part—the sum of 200*l.*, with consideration at ten per cent. for eleven years, so as they were so necessitated that they and their poor children were like to perish if not relieved. They therefore prayed that the town and lands of Dunsinke and Scriblestowne might be granted to them, with the rents and issues thereof, until they received satisfaction. This petition was referred to the Commissioners for the Administration of Justice; and in pursuance thereof petitioners on April 4, 1653, preferred a petition to the said Commissioners, again setting forth Sir Robert's indebtedness and his giving of the statute staple "before James Watson, Mayor of the staple of the City of Dublin, Andrew Clarke and Sanky Sylliard, constables of the said staple," the said bond being "entered in the Tholsell of the City of Dublin and enrolled in the Rolls Office in the Chancery" there; and praying that—as Sir Robert was now dead, and was at his death seised of a very great estate of lands of inheritance, and likewise of a very great real and personal estate, which since his death is come to Anne Loftus, his heir and executor, "in her own wrong or otherwise," now married to Richard Barrett, *alias* Lennard, who refuses to satisfy petitioners' just demands,—Richard Barrett and Anne Loftus his wife might be summoned to answer the premises and show what lands, estates and property the said Anne holds, and that petitioners might have such judgment and relief as to equity doth appertain.

To which petition, defendants appeared and made answer on July 11, 1653³; stating that Thomas Rush, esquire, deceased, was in his life-time (as these defendants take it), seised of the lands of Scriblestown and Dunsinke, co. Dublin, and of the manor of Clonish and other lands, &c., in the counties of Monaghan and Fermanagh, in Ulster. He died about twenty one years since, when his lands descended to his three sisters, the

³ So stated at the beginning of the answer (which is recited at length), but at the end it is said to have been given in on May 26, and accepted by the Attorney for the plaintiff on July 9.

Lady Elinor Loftus, deceased (mother of the defendant Anne), Dame Mary Coote, late wife of Sir Charles Coote, and Anne Rush, now wife of Sir George Wentworth. About the year 1635, Sir Charles Coote and his lady did, for good consideration, convey their third of the lands to Charles, Viscount Moore of Drogheda (brother-in-law of Sir Robert Loftus), Sir John Gifford (brother on the mother's side to Dame Elinor Loftus) and Sir George St. George (whose lady was sister on the mother's side to Dame Elinor), in trust for Sir Robert Loftus and his wife and their heirs, the Lady Elinor raising the money for the purchase by mortgaging the said lands.

Also in or about 1635, Sir Robert and his wife and Anne Ruish, now Lady Wentworth, did, by fine and other good conveyances convey all the said lands, &c., in Ulster of which Thomas Ruish had been seised to the use of Sir Robert, Dame Elinor and their heirs, with remainder to Anne Ruish and her heirs.

About fourteen years since, Dame Elinor Loftus died, and thirteen years since Sir Robert died also, and the lands descended to their daughter and heir Anne, now Anne Barrett, and, as the defendants are informed by their counsel, none of those lands are liable for the payment of Sir Robert's debts, other than such money as is yet due upon the mortgage to the Lord Viscount Valentia. Moreover, they do not know that Sir Robert ever became indebted to the complainants, or became bound to them in a statute staple or any other bond, nor do they know that any money remains due to the plaintiffs.

Defendants have heard that Adam Lord Loftus assured divers lands, &c., to the use of Sir Robert and his wife and their heirs, and that a suit hath long depended in the English Parliament between the now Lord Loftus and the defendant Anne Barrett; but she, being an infant and very young at the time of her father's death, and having ever since lived in England, does not know what lands are descended to her, nor has she as yet received any rents or profits from them. She has never had any money, jewels, rings, plate, household stuff, or other personal estate, whereof her father died possessed, but she hears that the same were had and enjoyed by others that pretended themselves executors to her father. She has received some small rents from Dunsinke and Scribblestowne, but the estate is still in mortgage, and part of the mortgage money as yet unpaid. The defendants therefore prayed to be dismissed with costs and charges.

This answer was taken and sworn at the house of Richard Barrett, esquire, in St. Martin's Lane, in the parish of St. Martins in the Fields, on May 26, 1653, "before one John Sharpe," and accepted by Richard Purefoy, counsel of the plaintiffs, on July 9. On July 26 the complainants replied that they say in all things as in their petition they have already said, and deny the said answer and every matter and thing therein contained. Upon all which pleadings the court entered into the hearing of the case on the 19th of this inst. and after time taken to consider of the matter do decree that the defendants be dismissed of this suit, but without costs. *Thirty-seven sheets of paper.*

Orders of the LORD PROTECTOR and COUNCIL.

1654, August 22. Whitehall.—On reading a report from the Committee of Council upon the petition of Lord Viscount Loftus, presented by Major-General Lambert, concerning an estate which by an arbitrary decree of the late Earl of Strafford was conveyed to trustees for the use of Sir Robert Loftus and his daughter, which decree was afterwards reversed by Parliament : It is hereby ordered that the said report be agreed to, and that the Lord Deputy of Ireland be required to put and maintain petitioner in possession of the said estate; also that Sir Philip Manwaring shall re-convey the same, and until performance thereof shall stand committed to the Serjeant at arms. *Copy certified by Sir Joseph Williamson. 1 p. [See Council Order Book, S.P. Dom. I. 75, p. 525.]*

1654, September 2. Whitehall.—Whereas by an order of August 22 last, Sir Philip Manwaring was ordered to re-convey an estate therein mentioned; now, on reading the said Sir Philip's petition: Order that it be and stand referred to Mr. Justice Hales, Mr. Attorney General and Mr. Solicitor General to prepare the draft of one or more conveyance or assurance, to be signed, sealed and executed by the said Sir Philip. And if he refuse to execute the same he shall forthwith stand committed to the Serjeant at arms, which in the meantime is respited. *Signed, W. Jessop, Clerk of the Council. ½ p. [See Ibid. p. 558.]*

JUSTICE HALES, the ATTORNEY GENERAL and the
SOLICITOR GENERAL.

1654, Sept. 21.—Appointing Tuesday next, at the Attorney General's Chamber in the Inner Temple, to consider the business referred to them by his Highness between Lord Loftus and Sir Philip Manwaring. *Signed, Mathew Hales, Edm. Prideaux, William Ellys. Copy.*

[1654, September ?]—Notes in relation to the conveyance to be prepared by the above referees. *1½ pp.*

[1654?]—A note of law payments, including orders at 6s. each, affidavits at 2s., letters missive at 10s. and orders for publication at 3s.; also:—

To the Council for Hyllery, Easter and Trinity

terms, at 1l. the term	-	-	-	-	3	0	0
Two commissions	-	-	-	-	1	7	4
Counsel for drawing interrogatories	-	-	-	-	1	0	0
Witnesses' charges	-	-	-	-	6	0	0
Copies of depositions, &c.	-	-	-	-	5	4	5
Counsel for "attending the reference" (3 times)	-	-	-	-	3	0	0
Certificate from the judges	-	-	-	-	0	5	0
For charges of the fine	-	-	-	-	2	5	0
To the Chief Justice's man	-	-	-	-	0	16	8

Order of the PROTECTOR in COUNCIL.

1655, July 27. Whitehall.—Appointing the Lord Chief Baron a referee to prepare drafts in the case of Lord Loftus, &c., instead of Mr. Justice Hales, who having been of counsel for Lord Loftus and his father, conceives himself unfit to give his opinion therein. *Signed*, Henry Scobell, clerk of the Council. *Certified copy.* $\frac{3}{4}$ p. [*See Order Book of the Council*, I. 76, p. 209 ?]

The LORD CHIEF BARON, ATTORNEY GENERAL and SOLICITOR GENERAL.

1655, October 17.—Appointing the parties in the Loftus cause to attend them at the Lord Chief Baron's Chamber in Gray's Inn on Saturday next. *Signed*, William Steele, Edward (*sic*) Prideaux, William Ellys. "*A true copy.*" $\frac{1}{2}$ p.

CHARLES II. to the LORD LIEUTENANT of IRELAND.

1662, July 26. Hampton Court.—Lord Loftus having petitioned that in pursuance of an illegal decree passed in 1637[-8], his father, the then Lord Loftus, and himself were forced to convey his father's lands to Lord Dillon, Earl of Roscommon, Sir Adam Loftus and Sir Philip Manwaring as trustees, but that the decree was reversed by the House of Lords and the said trustees required to re-convey the estate to Lord Loftus and his heirs male; and the said petitioner now praying that—as some considerable part of the said estate has, by Sir Philip Manwaring's death, lately come unto persons unknown to petitioner, whereby, although he has had uninterrupted possession since his father's death, yet in future time, when he and his witnesses are dead, some title might be sprung up against his posterity—we may be pleased to obviate that mischief by our recommendation for a bill to be sent to us here to pass into an Act of Parliament there [*i.e.* in Ireland] for securing the said estate to petitioner and his heirs: We therefore, to the end that the honours conferred by our ancestors upon petitioner's family for their good services may not want due support, desire you to inquire into the matter, and to send us a bill containing such things as shall by you be considered fit to be inserted for securing the estate to Sir Robert and his heirs. *Copy.* 2 pp.

Petition of EDWARD, VISCOUNT LOFTUS, to the DUKE OF ORMOND, Lord Lieutenant of Ireland.

1662, August 27.—Praying that the bill prepared by him in pursuance of his Majesty's letters of July 26 may be transmitted to England.

Underwritten: Order thereupon, that Sir George Wentworth and Richard Barrett appear, to show cause (if any) why petitioner's request should not be complied with. *Certified copy.* 2 pp. [*Printed in Report IX., pt. 2, p. 318.*]

Order of the COUNCIL of IRELAND.

1662, December 12.—For the attendance of plaintiff and defendants and their counsel on the 17th inst., when the cause of Lord Loftus *v.* Sir George Wentworth and Richard Barrett will be heard. $\frac{1}{4}$ p.

KING CHARLES II. to the DUKE OF ORMOND,
Lord Lieutenant of Ireland.

1662, December 22.—Whereas by our letters of July 26 last, at the suit of Edward, Lord Loftus, we recommended you to examine the pretended illegality of a decree made by our Council Board in 1637 [-8], and, if you found the matter to be as Lord Loftus suggested, to transmit a bill hither for reversing the said decree; and whereas we have since received more particular information that, complaint having been made against the decree in 1639, it was, after long debate, declared by our late royal father and the Board here that the appeal was without any just cause, and that the decree was just and equal and was to be put into execution: we hereby desire you to cause all proceedings upon our said letter to be suspended, “and that the infant [Dacres Barrett] be left at liberty to proceed upon the said decree or otherwise as he shall be advised.” *Copy, certified by Sir Phil. Warwick.* $1\frac{1}{2}$ pp.

COURT of CHANCERY.

1666, June 29.—Order in the case of Richard Barrett *v.* William Morgan and Katherine, Lady Newburgh, his wife, that—the Lady Newburgh having delivered in certain deeds asked for by the plaintiff excepting one “which upon her marriage with the Lord Newburgh, her former husband, was delivered to her as belonging to her for the maintenance of her jointure”; and counsel for the plaintiff having alleged that if this deed be brought in, her jointure or estate shall not be impeached—the said Lady Newburgh is to bring the said deed into court, there to remain until further order at the plaintiff’s charge. And if at any time defendant needs to use the said deed, it shall be taken and brought back at the plaintiff’s charge, but before so doing, notice is to be left at the plaintiff’s house called Bell House in Alveley, in the county of Essex.

In the margin :—Memorandum by Joseph Herne that Lady Newburgh has this day brought the deed of jointure into court, July 24, 1666. 3 pp.

Petition of RICHARD BARRETT and DACRE BARRETT, his son,
to MICHAEL [BOYLE], Archbishop of Dublin and
Lord Chancellor of Ireland.

[1668-9, February 20?]—Relates the history of the case from Sir Robert Loftus’s marriage to the King’s judgment in 1639, upholding the decree of the Lord Deputy and Council. In

spite of which judgment, Adam, Lord Loftus, still withheld the lands intended to be settled, "taking advantage of his power and authority, which, after the removal of the Earl of Strafford grew very great; and the Rebellion breaking forth put all things into confusion," so that the said Lord Loftus not only received the profits during his life, but made several conveyances to his younger son, now Lord Loftus, and others, intending wholly to disinherit Sir Robert Loftus and his issue. Ever since his father's death, the now Lord Loftus has had possession of all the deeds, &c., so that petitioners cannot so much as get a sight of them, and doth also pretend other deeds of Adam, Lord Loftus, of all his lands, &c., in Ireland to himself, the now Lord Loftus and his heirs, wholly excluding your petitioner, Dacres,* the true heir.

Wherefore it is prayed that a letter missive may be directed to Edward, Lord Loftus, summoning him to appear before your Lordship to answer all the premises and abide your Lordship's decree, with a writ of *duces tecum* requiring him to bring the deeds with him. *Certified copy. 31 pp. Noted as entered on above date.*

EDWARD, LORD LOFTUS.

1669, November 3.—The answer and plea of Edward, Lord Loftus, to the bill of complaint of Richard Barrett, esquire, and Dacre Barrett, his son and heir. Relating the proceedings in the case, and claiming the lands in dispute by virtue of the decision of the House of Lords in 1642, and his father's subsequent conveyances. *Sworn before Sir John Temple, and signed by seven members of the Council of Ireland. Certified copy. 25 pp.*

DACRE BARRETT'S ANSWERS TO LORD LOFTUS'S PLEA.

[1669, November?].—Stating, amongst other points;

That the late Lord Loftus never appealed to the Lords;

That he was not committed merely to enforce obedience to the decree, but also for contempt in not delivering up the Great Seal;

That the order of the House of Lords was not on a full hearing, the party concerned being an infant and unrepresented, and the hearing being after the King had been repulsed from Hull and had left the Parliament;

That Sir Robert did not himself join in the suit against his father, only because he "looked on it not so decent" so to do.

That there was no way of relief in Ireland but by equity, and no court of equity there but the Chancery, wherein defendant would have been both judge and party;

That the hearing of such causes at the Council Board of Ireland had been long in use, and if all settlements there should be voided it would cause great confusion in estates and families;

That this decree "was made an article of high treason against the Earl of Strafford . . . and the Commons in their votes 6 January, 1640, order that so much (of Mr. Pim's report touching

* The name is written with a final "s" almost as often as without.

this decree) as shall conduce to the charge of the Earl be made use of," and as those votes are the first ground by which defendant obtained his order of the House of Lords, "which were as a charge of high treason against the Earl of Strafford," and all proceedings and charges against the Earl have been cancelled by this parliament, it is conceived that this order also ought to be vacated. *Draft.* 3 pp.

COURT OF CHANCERY IN IRELAND.

1669, November 25.—Notes of proceedings in the cause of *Barrett v. Lord Ely*.

Mr. Browne sets forth the case for the plaintiff, complaining that the deed of settlement by the late Lord Loftus to Sir Robert and his issue has come into the defendant's hands, who enjoys the lands and has made private settlements on purpose to disinherit the plaintiff, *Dacres Barrett*.

The defendant pleads that the late Lord Loftus executed the conveyances aforesaid to gain his liberty, and that the decree of the Council Board of Ireland having been reversed by the House of Lords in England, all conveyances made pursuant thereto were rendered void; also that Sir Robert Loftus was no party to and disowned the said decree.

Mr. Reynell, for the plaintiff, pleads "that the bill is to have the deeds, and the defendant doth confess them, and the only question whether the defendant shall answer; and whether the deeds were made void by the judgment of Parliament is proper for law, and that they cannot come at for want of the decree; and that the King was absent from his parliament when the order made, and that but one side heard, thinks as material objections against that order of Parliament as they have any against the decree of the Council Board here."

Mr. Shapcote, for plaintiff. The appeal to the King was by Lord Loftus himself, and if defendant's title will not be good at law, it will not be good in a court of equity, "and if the judgment of the Lords should be allowed, the consequence would be that any judgment here might be reversed and vacated here (*sic*), which would be contrary to law; for the English lawyers hold that an act of Parliament in England will not bind Ireland unless it be expressly named, and the lawyers in Ireland that although it be named that it will not bind, and if an Act of Parliament will not be binding, how much less shall only a judgment of the House of Lords there, when but one side was heard and the plaintiff comes in as heir at law, who is always favoured in this court, and therefore prays the defendant may answer."

Mr. Attorney-General for defendant. "That if the decree here had been in any of the King's Courts, it might have been otherwise, but this decree here was extra-judicial, and the time of appeal to the Lords was only proper in the absence of the King, for had he been present, no such appeal would have lain to the Lords; and what would they have by their bill? Would they have the decree revived? That, he thinks, this court will not do."

Mr. Solicitor. The plaintiff must make a title either in law or equity; but by his own showing, "there was a fine levied, and so the estate in the conusees and not in the plaintiff. Then as to their estate in equity, it must be grounded upon the decree, and as to that, there is an act of Parliament in England declaratory of the common law which saith that the decrees made at the Board are extra-judicial, but here, in this case, there is no decree, for tis reversed, and therefore no estate thereby in equity;" and upon the deeds they have none, as these "waited" upon the decree.

Sir N. Plunkett, for defendant. That as the conusees had conveyed to the Lord Loftus in tail, the deed belongs to defendant, who is tenant in tail.

Mr. Osborne, for defendant. It is unreasonable that the plaintiff should have a deed which has been pronounced void. The House of Lords in England is the highest court of Judicature "unless King, Lords and Commons," and he has seen and can produce a record "where there has been a writ of error brought in the King's Bench of England to reverse a judgment given in the King's Bench in Ireland and confirmed by the Lords here."

Lord Chancellor. 1st, let the plaintiff show his title; 2nd, whether he demands the deed of proper persons; 3rd, the Court expects precedents "whether an order of the House of Lords in England shall indemnify a person from answering in this Court."

To be heard the first hearing day of next term.

Copy, signed Thomas Wilson, registrar. 6 pp.

ORDERS in the CHANCERY of IRELAND.

1669, November 25 to 1671, May 23.—Eight orders, by the Lord Chancellor and the Court, for hearing, production of documents, &c. 8 pp.

COURT of CHANCERY in IRELAND.

1669[-70], January 28.—Notes of proceedings.

Mr. Reynell, for plaintiff. Is ordered to speak to the points following:—

1. Whether the plaintiff hath title to the deeds.
2. Whether they demand them of proper parties.
3. Whether the order of the English House of Lords indemnifies the defendant from answering.

As to the order, "it can have no influence upon the freehold of a subject in Ireland, and it would be hard that persons who are no lords in Ireland should have power to bind in Ireland; for the lords of England pay subsidies in Ireland as other inferior subjects; and this very thing that hath been made void by this order was confirmed by the King himself after an appeal. . . . Doth remember the case of Levingstone and Powell in England, where a fine was obtained by notorious fraud, the opinion of all the Judges of England was that it could not be remedied otherwise than by Act of Parliament; and yet the other side would

have the House of Lords of as great a force as an Act of Parliament."

Plaintiff cannot go to law without his writings, and can only come by them in this court.

Mr. Shapcote. An act of Parliament in England may have influence upon Ireland, and yet an order of the English House of Lords ought not to bind Ireland, "for that it is supposed that the subjects of Ireland may be called to the Parliament there, but they are not capable to be called to the House of Lords, for that is a particular jurisdiction, and it cannot reasonably be supposed that the King will do anything by Act of Parliament without advising with his Council of Ireland, but it may not be presumed that the like care will be taken upon granting orders in the House of Lords."

Mr. Beckett. In the case of Sir Thomas Thwaites of Waterford, in the reign of Richard III, the Judges resolved "that an Act of Parliament (*sic*) against him at the Council table."

Ordered by the Court that the cause be further heard on Tuesday. *Copy, signed Thos. Wilson. 2 pp.*

COURT OF CHANCERY in IRELAND.

1669[-70], February 1.—Notes of proceedings. *Barrett v. Loftus.*

Mr. Shapcote, for plaintiff, answers objections of defendant to producing the deed as desired.

Mr. Reynell. "The case must be taken as it is laid in the bill, and that is that the deed kept away by the defendants doth limit the uses to the plaintiff, and if so, the feoffees had no estate, for the use draws the estate from them, and consequently had no estate to convey to the now defendant." As to the objection that plaintiff claims to be tenant by courtesy and yet never had possession, doth acknowledge that "the law doth presume the latches to be in the husband, that he did not reduce his right of entry into possession during the life of his wife, but thinks that a sufficient ground alone for the plaintiff to have relief in this Court by reason of such imperfection, and therefore prays that the deed may be brought in." Acknowledges that upon view thereof, it may be necessary to make the trustees parties, "though it may be a question whether the Lord Loftus himself have not destroyed the equity, for that he sets forth that he hath got a conveyance from the trustees, which, if so, it will appear to be a great combination and breach of trust." As to the nullity of the decree he thinks the case put by Mr. Solicitor will not hold, for that the decree was ratified and confirmed, on appeal, by the King himself, and so is become the King's decree.

Mr. Shee, for defendant. Plaintiff should complain against the donees, not against a third person; and cannot claim as tenant by the courtesy when he was never in possession.

Sir N. Plunkett. The estate was not executed to the use of Sir Robert Loftus and his heirs, but to the use of the feoffees in trust, that they should execute conveyances, &c.

Mr. Solicitor. As to *Mr. Shapcote's* objection that although the decree were reversed, it may yet be sufficient to lead the use of the deed, he sees no ground for it—that when a thing is adjudged void it should be good for anything depending on it.

Lord Chancellor would be glad to be satisfied whether the decree was only a use or a trust, and doth at present conceive that will go a great way in the case.

Mr. Shapcote thinks it will make no difference, for that in this court, trusts and uses are the same thing.

The Court. A copy of the decree is to be produced for settlement of this point. *Copy, signed Thos. Wilson.* 5 pp.

COURT of CHANCERY in IRELAND.

1669[-70], February 21.—Notes of proceedings. *Barrett v. Loftus.*

Mr. Beckett prays that the decree of Council may be read.

Mr. Stephens prays that it may be lodged, that a copy may be had.

The decree read, whereby it appears the settlement ought to be to the use of the plaintiff.

Mr. Solicitor insists that there is no decree, for it is reversed, and therefore there is no use, “and it must be upon the conveyance that that appears.”

Mr. Reynell. The deed of settlement is the thing they sue for, and the only question is whether defendant shall answer as to the deeds, which, if he produce, they will be content to proceed at law.

Sir N. Plunkett. Defendant has answered, and sworn that the deeds were executed in trust, and if put to further answer he can say no more. Plaintiff ought to have replied “to the issuable part of the answer.”

Mr. Reynell. The plea is only the order of Parliament, and they do not plead the deeds themselves or put the same in issue. Defendant only says he believes the settlement was in trust, and plaintiff cannot take issue upon such uncertainty.

The Court. Lord Loftus is content to put in a full answer, therefore be it so by consent, saving the plea. *Copy, signed Thos. Wilson.* 1½ pp.

Also,

1. *Further answer of Lord Loftus* (endorsed “No. 3”) sworn before *Dudley Loftus* on May 21, 1670. Eleven sheets.
2. *Rejoinder of Lord Loftus to Richard and Dacre Barrett's replication.* Entered on Dec. 5, 1670. Four sheets.
3. *Interrogatories for Barrett's witnesses.* Entered on Dec. 17, 1670. 3 pp.

EDWARD SWAN.

1670[-1], February 3.—Certificate by Jo. Topham that Edward Swan, gent., has made oath before him that he delivered a subpœna out of the Court of Chancery in Ireland to John Hodges, esquire, requiring him to appear before Charles Ryves, esquire,

one of the examiners of this Court, on behalf of the plaintiff [Dacre Barrett], but that Hodges said he would not appear unless ordered by this Court, as he was a counsel for the defendant [Lord Loftus]. And deponent further saith that Hodges formerly told him that he was not retained for the defendant till a month after his name was delivered as a witness to defendant's attorney. *Certified copy. 1 p.*

Also,

Order in Chancery thereupon, that Mr. Hodges be examined in all matters save such as have come to his knowledge as counsel for the defendant. Feb. 7. Certified copy. 1 p.

Certificate by JAMES HARTLEY.

1670[-1], February 17.—Has served Col. Philip Fernsley and also Arthur Loftus, esquire, of Munster Even House, with his Majesty's writs of subpoena out of the Court of Chancery in Ireland to appear personally before Charles Ryves, esquire, or his deputy immediately on sight or notice thereof. Sworn before J. Westley. *Copy. 1 p.*

Certificate by CHARLES RYVES.

1670[-1], February 18.—That on repairing to Philip Phernsly, esquire, to examine him for the plaintiffs [Richard and Dacre Barrett], the said Phernsly refused to be examined until he had perused some writings in his study, which he was not at present well enough to do. $\frac{1}{2}$ p.

WILLIAM STEELE to RICHARD BARRETT.

1669[-70], March 11.—In answer to what was proposed to me touching your case, my present apprehensions are as followeth:—

1. That the original decree of 1637 was ill-grounded, being on a matter "merely determinable in ordinary courts of justice," and although, by the Lord Chancellor being the chief party (if the cause was heard in Chancery), there might have been cause to modify the proceedings, or to resort to some superior legal indicatory, yet this did not justify the course taken at the Council table; the Statute of 17 Car. I. for regulating the Council declaring that neither his Majesty or his privy Council have or ought to have any jurisdiction to determine and dispose of the lands or goods of the subject.

2. In spite of this, as this power had *de facto* been long so used, and many settlements depended thereon the voiding of which would cause great disturbance in estates and families, the statute aforesaid does not look back, nor make any other provision for time to come than to inflict personal penalties on the judges or instruments of such causes and decrees, "and therefore it seems that the decree of 1637 is to stand until it be legally reversed," especially as it implied a liberty of appeal and alteration by his Majesty. Lord Loftus, that he might be free to appeal, submitted to the said decree, levied fines and passed conveyances "in trust

to execute estates" according to it. Lastly, upon his own appeal, the said decree was confirmed by the King.

3. This decree seems as yet of the same force as at the pronouncing thereof, and not legally reversed by any of the proceedings alleged in defendant's plea; for as to the Lords' order of May 3, 1642, on which he chiefly relies, "that order was made by them either as they were part of the legislative authority, and in order to a law, or as they were a judicature constituted and allowed by law in cases of errors and appeals." If the first, then the order not being passed into a law (which is not pretended) can be of no validity unless it had been confirmed by the Act of 12 Car. 2, which, after enacting that no judicial proceedings in ordinary Courts of Justice made after May 1, 1642, should be avoided, provides that the Act shall not extend to avoid or confirm any sales or estates made by pretence of any act, order, or ordinance of Parliament since that date, but that such sales should stand as if that Act had not been made. If, on the other hand, the Lords proceeded as a Judicature, their proceedings were not pursuant to that judicature, in regard (1) that the appeal was not from any court but from the Lieutenant and Council of Ireland; (2) the cause was transmitted to the Lords at the desire of the Commons, and so came to them "not in the immediate way of an appeal, but in order either to a law or to an impeachment"; (3) the order is in itself contradictory, vacating the conveyances made pursuant to the decree of 1637, and yet ordering the trustees under those conveyances to convey their interest to Lord Loftus; (4) the defendant himself supposed no validity in the order of the Lords when he lately endeavoured by surprise to procure his Majesty's letters to the Lieutenant and Council in Ireland for transmitting a bill to confirm his title; (5) the said order was not only of lands in Ireland, but against an infant who had the title and neither appeared in person nor by guardian or counsel.

4. "If the decree of 1637 had once been well reversed by that order of the Lords, yet in regard it appears by the votes of the Commons, upon a report made touching the said decree, that the Lords were to be acquainted therewith, and the Committee appointed to draw the charge against the Earl of Strafford were to make use thereof, so far as anything in the said report might conduce to the said charge; and accordingly, the 8th article in the charge against the said Earl was grounded wholly thereupon"; and for that by the act for reversing the Earl of Strafford's attainder it is enacted that all proceedings of Parliament relating thereto are to be wholly cancelled, "from hence it may be probably inferred (though I will not be positive therein, in regard of the uncertain construction what may be said to relate to the said attainder) that the said order of the Lords is not to be made use of, by which means the decree of 1637, though not rendered more valid than before, yet will be in the same condition as it was when passed, by reason of the Act aforesaid."

5. "As to your present proceedings in the Chancery of Ireland (though I have not seen your bill, which I would gladly have

done), if you have not done it, I think you might have done well to have made parties such of the trustees as alive, if any, or the heir of the survivor of them; in regard, if it were a trust, the interest in law was in them until they submitted to the Lord's order, and have since executed conveyances to Sir Edward Loftus, or those from whom he claims. However that be, if your equity only be the want of your deeds, your counsel will carefully see to a full answer therein and on a confession thereof, by a *ducens tecum* to have them brought into court. If, at the hearing, you be referred to law with use of the deeds, you have your desire, but if it appear that the deeds are not to be produced, or that the Court be satisfied that they belong not to you, . . . then your only remedy is the same which your adversary attempted, namely, by petition to his Majesty to direct a bill to be sent from the Lieutenant and Council in Ireland thither, in order to a law for setting aside that order of May 3, 1642, and putting you into the condition as you were before. 3 pp. *The name of the writer and the date have been cut off, but are given in the endorsement.*

Certificate by JAMES HARTLEY.

1671, June 5.—Has served Lord Loftus with a writ to appear in the Court of Chancery on the 28th inst., to hear judgment in his cause. Sworn before Jo. Topham. *Certified copy.* 1 p.

COURT of CHANCERY in IRELAND.

1671, June 28.—Notes of proceedings. *Barrett v. Loftus.*

Mr. Beckett, for plaintiffs, opens the bill.

Mr. Thos. Browne, for defendant, opens the defendant's plea and answer.

Mr. Browne opens the defendant's further answer.

Mr. Beckett opens plaintiffs' replication.

Mr. Browne opens the rejoinder.

Mr. Lyndon, for plaintiffs, states the case.

Sir Audley Mervin, for defendant, prays the plea to be first proceeded on and the decree of the House of Lords (*sic*) read.

Mr. Reynell, for the plaintiff, consents.

The said decree, *signed* Wentworth, dated Feb. 1, 1637 [-8],
read.

Mr. Lyndon offers that Sir Adam Loftus (*sic*) appealed, but the decree was confirmed.

The King's letter of June 13, 1634; the order of the King in Council, Nov. 19, 1639; and the order of the House of Commons for reversal of the decree of May 3, 1642,
read.

For the plaintiff it is objected that the King was not present when this order passed.

Sir Audley Mervin, for the defendant, urges that it was conceived on mature judgment and by a Parliament wherein the King himself sits; and that though his Majesty was not then in London, yet he and the Parliament kept a correspondence, and

they had a coherence; as in the case of Hotham, his Majesty writ to the Parliament from York to punish him, and there was a bill sent to the King for his royal assent.

The King's letter concerning Hotham, of April 28, 1642, and the aforesaid order of May 3, 1642, *read*.

Sir Audley offers that *Sir Robert Loftus* "had nothing to do in the business at first, which he did himself right in disowning to his late Majesty."

Sir John Gifford's petition and his Majesty's letter thereon of Feb. 9, 1636[-7], "by which, *Sir Audley* saith, the Lord *Wentworth* steered," *read*.

The court desires *Sir Audley* to speak to the efficacy of the order of Parliament to justify defendant's plea, whereupon he offers a statute of 17 Car. 1, for regulating the Privy Council and taking away the Star Chamber, and *Cavendish's* case in *Anderson's Reports*, both of which he reads and dilates upon; and upon the whole prays that the plea may be allowed and the plaintiff's bill dismissed.

The Court, considering the length of the Cause, puts it off to the Monday after term, July 17, 1671. *Copy, signed, Thos. Wilson.* 2½ pp.

COURT OF CHANCERY IN IRELAND.

1671, July 17.—Notes of proceedings.

Mr. Attorney, for defendant, states the case and prays the benefit of the plea and the bill dismissed, 1st, because it is founded on the decree of the Council board, which has no jurisdiction to settle lands, in support of which he quotes *Coke's Institutes* (4 p. 53; 2 p. 50)* and also the Petition of Right, when, the Parliament not being pleased with the King's answer, "the King came in person to the House of Lords, June 1628, and then he gave this answer, *Soit droit [fait] comme [est] désiré*."

2. To the objection that the King directed this decree by his letters to the then Lord Deputy under his privy signet, by which the Lord Deputy and Council had sufficient authority, he opposes "*Ed. Burghill's* case, 33 Ed. I, *Agnes v. Thomas*, a mandate directed to the then Lord Justice; defendant pleaded to the jurisdiction of the Lord Justice because the land was of freehold and the courts of justice open"; and upon the whole, concludes the decree void of itself.

Touching the authority of the Lords' House and appeals to them, "he offers several authorities; cites *Dugdale* that no records upon bills and plaints were in the Chancery before Hen. 6, but in the House of Lords of England, who determined all equitable matters upon petitions." *Vide* also *Lord Thomond's* case, 13 Car. I.

* The references are to (1) a paragraph in the Section on the King's Council: "Private causes, lest they should hinder the public, they leave to the Justices of the King's Courts of Justice, and meddle not with them." 2. To the explanation of the clause of *Magna Carta*. that no man shall be put out of his freehold but by the law of the land; rendered in the Statute of 37 Ed. 3, as "without process of law."

To the 2nd objection, that the appeal was not regular, he answers that it was regular, because no Parliament was sitting in Ireland, and to the 3rd, that the Parliament of England was not a perfect Parliament, because the King was not then present, he says "Richard I (*sic*) was not present with his Parliament, in whose absence the writ for calling the Parliament was, *Teste Ricardo custodi Anglie* which was Richard II" ²; and for that of 7 Henry 5, "it was *Teste [Johanne] Duce Bedfordie*, which parliaments were called, prorogued, and dissolved without the King's being present personally, because he was virtually present."

Mr. Solicitor, for defendant, never knew in his practice that any bill was grounded in this Court upon a decree of the Council Board. As to the validity of the House of Lords' reversal of the decree, "the House of Lords of England is the supreme court, and, therefore, what they do is not to be judged by an inferior court. Cooke reports it; then enforces the Lords' power touching Irish affairs; and as to that Parliament, it cannot be denied but that it was a Parliament; that in '48 many acts passed, and that since his now Majesty came in, the said Parliament was dissolved by a particular act." There was an inherent power in the House of Lords, and that power they could not want as long as they sat. "As to the equity in the bill grounded upon the said decree and the conveyance to the uses in the decree, he offers that the use was merely a trust grounded upon a decree which is reversed; Sir Adam's re-conveyance, no breach of trust because executed in obedience to the order of the House of Lords in England upon the reversal of the decree. Upon the whole, conceives the plea is good and the ground of the bill bad."

Sir Audley Merwin, for defendant. The plaintiff has not properly filed the bill here because he has obtained the order of the Board. If that has power enough, why does he not put it in execution? As to the Parliament, in a letter of April 28, 1642, touching Hotham, his Majesty calls them his Parliament. "Several other instances in 1645."

Serjeant Osborne, for defendant, offers that the King's passing four bills in the Isle of Wight was an article against him at the High Court of Justice.

Time granted until tomorrow for the plaintiff to answer.
Copy, signed Tho. Wilson. 4 pp.

COURT OF CHANCERY in IRELAND.

1671, July 19.—Notes of proceedings. *Barrett v. Loftus*.

Mr. Beckett, for the plaintiff, pleads that when the decree of the Council in Ireland was made, the judges were present, that Lord Loftus's appeal to the King was voluntary, and then the

* This would seem to be a reference to the Parliament of 1372, summoned in the first instance by writ of Prince Richard, then a child of five years old, who was left nominal guardian of the Kingdom during the last expedition of Edward III and his sons to France. But the King returned before Parliament had assembled and issued fresh writs in his own name. See *Rot. Parl.* XLVI. Edw. 3. The second reference should be V. Hen. 5. See *Rot. Parl.* for that year. Also Coke's *Institutes*, pt. IV, p. 7

decree was confirmed; that the order of the House of Lords is not binding in Ireland, for an Act of Parliament is not resolved to be binding, much less an order (Cooke's *Institutes*⁹). The business came irregularly before the Lords, not by appeal or writ of error. Lord Loftus took notice in his petition of nothing but the decree of the Council in the time of the Earl of Strafford, "who was then under a cloud." The Parliament in Ireland was then sitting, but Lord Loftus dared not come before them because his contempts were fresh in their memory, and therefore went to the Lords in England, where his petition lay for two years, and when it came to be heard, the Lords spiritual and most of the temporal were absent, and therefore what they did was not effectual. (Cooke 4 *Inst.* fol. 25, in Lassenbie's case, in whose case it was only an ordinance †). Cites the Earl of Derby's case, since his Majesty's restoration "and parallels this to that."

"The penal statute as to the jurisdiction of the court wages not this case, and therefore it is the Lord Chancellor's duty to determine it, because it was formerly so sacredly pronounced by his late Majesty."

The cases of Brooke, Pilkington, Leviston *v.* Powell are cited to prove that Ireland is distinct from England and not liable to the power of England if not particularly named. Finally, he alleges that, the petition of Lord Loftus to the Parliament here saying nothing of the appeal [to the late King], and the [present] King finding that he was misinformed, his Majesty has sent another letter on plaintiff's behalf.

Mr. Lyndon, for the plaintiff. Adam, Lord Loftus, did not make the settlements agreed upon, whereon the King ordered that conveyances should be made. Cites instances as to the power and authority of the Council in Ireland. Confesses that the House of Lords is the supreme court, can reverse judgments, &c.; but when their order was made, the regal power was taken away and most of the Lords absent. Cites instances as to the Irish Parliament's making of laws; offers the Act for reversal of Strafford's attainder. The King must be present either personally or virtually, but was neither, for none had commission under the Great Seal to personate him; therefore the Lords' order was ineffectual, and, upon the whole, the Council Board had power to determine such cases, and their decree was good.

Mr. Hartstong, for plaintiff. It must be allowed that the Parliament is a superior power to the Council, though the Council the elder. The Council has often determined between party and party. Magna Carta and the Act of 16 Car. II do not reach this case. Sir Adam Loftus, being then Lord Chancellor, "could not expect justice here, therefore the case extraordinary; because forced to fly to the King," therefore this case not within the statutes urged by defendant's Counsel. The way of bringing the appeal to the Lords in England was irregular; "an appeal the

* Pt. 4, pp. 350, 351.

† "I have read of a restitution in blood and of lands of one William de Lasenby by the King, by the assent of the Lords Spiritual and Commons (omitting the Lords temporal); this we hold is an Ordinance, and no Act of Parliament."

same thing with a writ of error ; a bill of review and depositions ought to have been brought before the Lords." Looks upon the decree now as not the decree of the Lord Lieutenant and Council but of the King and Council in England. "So that no such decree being before the Lords, there is no reversal."

Waives speaking to the jurisdiction of the House of Lords, but urges that any such decree brought before and reversed by them, "makes parallel the case of a writ of error brought out of the King's Bench here into England, in which case it cannot skip over the judgment of the Bench there, so in this case, the defendant ought to have applied to the King and Council because he takes the decree as it is now to be theirs."

Mr. Reynell, for plaintiff. As to the order of the House of Lords "defendant did not come in either by bill, petition, or writ of error." Offers several votes of the House of Commons, in 1640, in this cause. "The King left his Parliament after the business of Hotham, and after that was but a stranger to them, therefore was neither actually nor virtually present." The Lords' power is not inherent but only derivative from the King ; no act can be good without the Lords spiritual and temporal, and at that time the Lords spiritual were absent. From the act reversing Lord Strafford's attainder he concludes the King was forced from his Parliament by tumults, &c. The order irregular, because the heir made no party. The petition on which it was founded mentioned no appeal. Several clauses in acts of Parliament made void by the Judges. An act contrary to natural reason and right void of itself. This order "but a pretended order of a pretended House of Lords, and which cannot alter the fundamental laws and take off fines acknowledged, which is the greatest security of the law, and which cannot be taken off without an Act of Parliament." Many great cases—as the "grand case of tenures"—adjudged by the Council, because the judges of Ireland were always of it. The power of the King always reserved. "Plaintiff was forced to apply to the King, expecting no justice in Chancery. Sir Adam Loftus, being Chancellor, could not go into the Exchequer, because neither *fermarius* or *debitor regi*. Urges the decree to be good because confirmed by King and Council, and conveyances perfected pursuant thereto."

Mr. Shapcote and *Mr. Warren* likewise speak for the plaintiff.

Mr. Solicitor and *Sir Audley*, for defendant, propose Crooke, Car. (*sic*), and Lord Elsmore's speech to *Mr. Reynell's* objection as to the judges voiding acts of Parliament. The Court postpones judgment. *Copy, signed Thos. Wilson. 7½ pp.*

COURT OF CHANCERY in IRELAND.

1671, November 28.—*Mr. Reynell*, the plaintiff's counsel, having this day moved the court for their opinion in this cause, the Lord Chancellor declared "that he thought the parties had understood his meaning that they ought to make application in another place." *Copy, signed Thos. Wilson. ½ p.*

Petition of DACRE BARRETT, by his Grandmother, DOROTHY, LADY DACRE, to the HOUSE OF LORDS.

1672[-3], February 21.—Praying, on behalf of her grandchild, Dacre Barrett, for a repeal of the judgment of the House of Lords in 1642, in order that petitioners may be free to pursue relief in the ordinary course of law. *Signed, Do. Dacre. Certified copy. 19 pp. [Calendared in Report on the House of Lords' MSS., Report IX. of the Hist. MSS. Commissioners, p. 23.]*

Also,

Order on the above, that Lord Loftus is to put in his answer within a month after notice received. Feb. 21, 1672[-3].

· DACRE BARRETT.

[Same date?—The case of Dacre Barrett. 1 sheet. *[One copy of this is endorsed "Oct. 1673," but, by the wording, it would appear to have been given in with the above petition.]*

Petition of DACRE BARRETT, by Dorothy Lady Dacre, to the HOUSE OF LORDS.*

[1673-4, January 13.]—On her petition of February last, Lord Loftus was ordered to put in his answer within a month, but shortly after notice given to him, Parliament was adjourned, and on meeting again in October was quickly prorogued. His Lordship pretends that such matters as were pending before this House were by the prorogation at an end, wherefore petitioner prays that he may be compelled to put in his answer in some short time.

Also,

Order on this petition, dated as above, that Lord Loftus put in his answer on February 10.

LORD LOFTUS.

1673-4, February 10.—His answer to Dacre Barrett's petition by Lady Dacre. *Copy, 17 pp. [Calendared in Report IX., pt. 2, p. 23.]*

Also,

Order thereupon for a hearing of both sides on February 21. Dated Feb. 13, 1673[-74].

* Ranging in date from 1674 to 1678, are many petitions of Dacre Barrett and Lord Loftus to the House of Lords, with copies of the orders thereupon; but most of the petitions are calendared in the Report on the House of Lords' MSS. (Report IX, pt. 2, pp. 23, 24) and the orders are to be found in the *Lords' Journals*. They are therefore not calendared here unless they contain some point not given elsewhere.

Petition of DACRE BARRETT (by LADY DACRE) to the KING.

[1673-4, March 16?].—Setting forth the proceedings in the case, and praying his Majesty's directions to the Lord Chancellor of Ireland to "proceed and make a decree" in the cause. 2½ pp. [*Printed in Report on the Marquis of Drogheda's MSS., Report IX. of the Hist. MSS. Commissioners, pt. 2, p. 321.*]

KING CHARLES II. to the LORD LIEUTENANT OF IRELAND.

1673-4, March 16.—Referring the above petition to him, and praying him to send a report thereon, especially as to the Lord Chancellor's reason for forbearing to give judgment in the cause. *Copy.* 1 p. [*Printed Ibid. p. 322.*]

Order by the EARL OF ESSEX, Lord Lieutenant of Ireland.

1674, May 4. Dublin Castle.—Upon receipt of the King's letters, appointing May 14, for hearing the cause, in the gallery of the Castle. *Signed.* 1 p.

Certificate of JOHN KEATING, Clerk of the Parliament of Dublin.

1674, May 22.—On searching the Journals of the House of Lords in this Kingdom, he finds that a parliament met at the Castle of Dublin on March 16, 1639[-40] and, by divers adjournments and prorogations, continued sitting until October 23, 1641, after which he finds no journals, but finds by orders and loose papers that it continued sitting until the year 1646. $\frac{3}{4}$ p.

The LORD CHANCELLOR OF IRELAND to the LORD LIEUTENANT.

1674, May 30.—Stating that his reason for not giving judgment in the Loftus cause was that it had been urged that the order of the House of Lords of May, 1642, being given in the King's absence and taking no notice of the appeal to him or of his order in Council, was of no force; and that the Court of Chancery did not think themselves competent judges of the constitution of the House of Lords or the validity of their orders. *Signed.* 1 p. *Enclosed by the Earl of Essex with his Report.* [*Printed at length in Report IX, pt. 2, p. 301, note.*]

LORD LOFTUS'S CASE.

1674, [before August 18].—"The state of the case with the whole proceedings therein touching the matter in controversy between the late and now Lord Viscount Loftus of Ely and Mr. Dacre Barrett *alias* Lennard, humbly presented by the now Lord Loftus unto his Excellency the Lord Lieutenant of Ireland, in order to transmitting the same to his Majesty, according to his Majesty's royal pleasure signified in his letters of the 16th of March, 1673[-4], directed to his Excellency the said Lord Lieutenant." In conclusion, Lord Loftus humbly prays that it

may be offered to his Majesty "whether his Majesty will think fit to give himself any further trouble in this matter," and not rather leave all parties to the ordinary course of law and equity. *5½ sheets of paper. Copy, certified by O. Becher.*

ARTHUR, EARL OF ESSEX, Lord Lieutenant of Ireland.

1674, August 14.—His report on the cause between Dacre Barrett and Lord Loftus. *Signed. 9 pp. [Printed in Report IX, pt. 2, p. 322.]*

Petition of RICHARD BARRETT to ARTHUR, EARL OF ESSEX,
Lord Lieutenant of Ireland.

[1674, August.]—On behalf of his infant son, Dacre Barrett, offering certain exceptions to the Lord Lieutenant's report, and praying to be heard thereon before the report is signed and sealed. $\frac{1}{2}$ p.

Enclosing,

The paper of exceptions above mentioned. Signed Wm. Becket. 6½ pp. [Printed Ibid., p. 324.]

Brief for LORD LOFTUS.

1675, April.—Lord Loftus's plea should have been heard at the Bar of this House [of Lords] in February, 1673 [-4], but by reason of affairs and the prorogation soon after following, was not proceeded in. The House having ordered a hearing for Thursday, the 29th of this inst. April, whereof petitioner was to give timely notice to Lord Loftus or his agent, petitioner's solicitor, on the 16th inst., left a copy of the order with Mr. Amherst, Lord Loftus's counsel, and another with Mr. Cresset, whom my Lord's agent (Mr. Charles Moncke, that now is and hath been in Holland above a year last past attending the Lord Ambassador [Temple]) retained to assist him in Feb. 1673 [-4]. Both Amherst and Cresset desired the solicitor to give notice to Lord Loftus, he being then in Ireland and his agent in Holland, as they could do nothing without directions; and by Saturday and Tuesday's posts they wrote to Lord Loftus and to the agent, but doubt that in so short a time they cannot have letters in answer.

Therefore, that Lord Loftus may not be surprised, it is prayed that the hearing may be postponed a fortnight.

Note. Lord Loftus attended the hearing in Feb. 1673 [-4], but the Lord Gray, on the plaintiff's behalf, moved that it might be put off. 1 p. *Endorsed* "Mr. Amherst's brief."

DACRE BARRETT'S answer to LORD LOFTUS'S Breviate.

1675, April.—On the 15th (not the 16th) of this inst. April, petitioner's solicitor left copies of the order of the House of Lords with Mr. Amherst and Mr. Cresset, telling them that he was obliged to serve Lord Loftus or his agent. Mr. Amherst answered

that he was not his Lordship's agent but his counsel, and although he confessed that he had made searches in Mr. Browne's office for Lord Loftus, he said he did it as counsel, not as agent. Mr. Cresset last session accepted service for a hearing and both he and Mr. Amherst attended.

Counsel on both sides attended on Feb. 20, 1673[-4] till very late in the day, until there was no hopes to be heard, and petitioner did not move to have it put off but was much troubled that it was not heard. He has no desire to surprise defendant, but having suffered much by delays, wishes to prevent them in the future. *Draft.* 1 p.

RESOLUTION in the HOUSE of LORDS.

1675, May 10.—That the order of May 3, 1642, shall not be affirmed, but that this court will hear and determine upon the merits of the cause, pending which all other proceedings shall be stayed, and Lord Loftus's possession of the lands quieted, until judgment be declared. $1\frac{1}{4}$ pp. [*Printed at length in Lords' Journals, XII, 6.*]

PROTEST OF THE PEERS.

Same date.—Protest of certain of the Peers against the above resolution, with their reasons. *Signed*, Denbigh, Carlisle, Anglesey, Shaftesbury, Vaughan, Widrington. *Copy.* 2 pp. [*Printed at length as above.*]

Margin. Answers to the above protestation.

Petition of DACRE BARRETT, *alias* LENNARD, to the KING.

1675, August.—In February 1672[-3] petitioner prayed the House of Lords for a repeal of the order of May 3, 1642, "at the beginning of the late rebellion, when your Majesty's royal father of blessed memory was driven from his Parliament," by which order his late Majesty's own order in the cause was reversed. Lord Loftus put in a plea to the said petition, which was not heard until May 10 last, when their Lordships adjudged that the said judgment of that House should not be affirmed, but that they would rehear the cause, and that meanwhile all proceedings in any inferior court were to be stayed, and Lord Loftus's possession in the estates concerned to be quieted. Also that both parties were to signify their allegations to the House that so a day might be appointed for the hearing.

Petitioner presented his petition and allegations on May 31 last, and Lord Loftus was ordered to do the same before June 21. But before that time your Majesty was pleased to prorogue the Parliament.

Your Majesty having been since pleased to declare your intention of calling a Parliament in Ireland, petitioner is informed that Lord Loftus means to bring the whole matter before the Parliament there (where his power is too great for petitioner to contest it) and that he is not enjoined from so doing by the order

of the Lords' House, as the Parliament in Ireland is no inferior court; whereby his Lordship would make void the proceedings here, and evade the judgment of the House of Lords.

Petitioner therefore humbly prays that your Majesty will declare your pleasure that the cause be heard before the Lords in Parliament in England, and not elsewhere. *Draft.* 1 p.

Annexed,

Summary of the proceedings in the case, from 1621 to May, 1675.
2 pp.

Petition of DACRE BARRETT to the HOUSE OF LORDS.

1675, November 22.—“Notes drawn in haste the day of the last prorogation of the Parliament in Nov., 1675.”

In February, 1672[-3], petitioner presented his petition to be relieved of the order of May, 1642, but over two years elapsed before he could come to a hearing, by reason that defendant lived in Ireland, and took all advantages of the delays caused by the difficulty of sending, the uncertainty of the seas, &c.

At last, on May 10, 1675, the case was heard at the bar of this [the Lords'] house, when the order of 1642 was set aside, and it was resolved to hear the cause again. To this end both parties were to put in their allegations, which petitioner has done, but defendant still delays to do. On November 10, the House appointed December 8 next, for the day of hearing, but Parliament being now prorogued or dissolved, petitioner prays that the order of May last, restraining proceedings in inferior Courts, may be discharged or else that the cause may be heard the first Tuesday of the next session of Parliament. *Draft.* 2 pp. *Not calendared elsewhere.*

EDWARD, LORD LOFTUS.

1677, April 5.—Answer to the petition of Dacre Barrett, containing a lengthy statement of the case from the beginning. *Signed,* Charles Moncke. 51 sheets. [See Report IX, pt. 2, p. 23.]

1677, May 14.—Lord Loftus's further answer. 15 sheets. See *Ibid.*, p. 24.

Petition of LORD LOFTUS to the HOUSE OF LORDS.

1677, May 21.—In obedience to their Lordships' order of 6 April last, petitioner has put in his further answer to Mr. Barrett's allegations. The cause being appointed to be heard upon the meeting of Parliament in October next, he prays that certain of his witnesses in Ireland who are very aged and not able to travel—viz.: Lady Meredith, Lettice Fernley, wife to Philip Fernley, and others—may be examined by commission. 1½ pp. [See *Ibid.*, p. 24.]

PETITIONS OF DACRE BARRETT TO THE HOUSE OF LORDS.

1677, May 21.—Praying for a present hearing, as Parliament may not sit in October, and Lord Loftus is now in London. *Draft.* 1 p.

1677, May 23.—Preamble almost identical with that of the preceding, but praying that he may have leave to proceed against defendant in law or equity. *Signed.* 1 p.

[1677, between May and October.]—Case, offered with petition, complaining that Lord Loftus has neither “returned nor executed” the commission issued to him for examining witnesses in Ireland. 1 *sheet, printed.*

CAUSE IN THE HOUSE OF LORDS.

1677[-8], February 11.—“The substance of the Petitioner’s [Dacre Barrett’s] prayer . . . and some few of the reasons offered to induce their Lordships to set aside the order of the 3rd of May, 1642.” 1 p., *printed.* Also two MS. drafts of the same.

[Same date.]—Lord Loftus’s case in answer to the above. 1 *sheet, printed.* [*Printed in extenso in Report IX., pt. 2, p. 326.*]

1677[-8], February 14.—Extract from Lords’ Journals, giving the resolution of the House for dismissing Dacre Barrett’s petition. 1½ pp. *Copy, certified by Richard Barrett and Richard Forstall.* [*See Lords’ Journals under date.*]

DACRE BARRETT.

1677[-8], March 2.—Letter of attorney, giving his brother, Richard Barrett, full powers on his behalf to enter into the estate of Monaster Evan, &c., which in all justice and equity he (Dacre Barrett) ought to enjoy, and there to seal leases, make ejectments, &c., for trial of his right. Also to bring or defend all manner of actions in his name. *Signed and sealed.* 1 *sheet.*

1678, March 10. A like letter. *Signed and sealed. Witnesses,* John Parrie, Gabriel Morel, Joseph Butcher. 1 *sheet.* [*Both letters are said to be Anno 30, Car. II.*]

DACRE BARRETT.

[1678, beginning of October?]—Bill in Chancery. The manor of Monaster Evan and other manors and lands in Ireland, of the yearly value of 2,000*l.*, and the manor of Norton in the county of York, being the inheritance of plaintiff’s mother, did after her death come to his father, who became seised of them “as tenant by the courtesy,” plaintiff being seised of and entitled to the reversion thereof. But Edward, Lord Loftus, pretending himself the heir, has confederated with Ruisshe Wentworth, Esq., and others, to defraud the plaintiff, giving out that his father was never married to his mother, denying his pedigree, and claiming the lands, although they know in their consciences that plaintiff is the right heir. And they also give out that after the death of plaintiff’s father and witnesses they will make good their claim.

Plaintiff having no means by the strict rules of the Common Law to preserve the testimony of his witnesses, prays liberty to examine them *in perpetuum rei memoriam*, that their testimony may be recorded, to be made use of if occasion should arise. 1 sheet.

Annexed,

Lord Loftus's plea in answer.

That in 1668, plaintiff did, by his father, exhibit a bill in the Chancery of Ireland to the like effect, when witnesses were examined and their testimony published; which proceedings remain on record, wherefore the plaintiff ought not to be admitted to draw the same into examination again in this Court. ½ p.

ORDERS of the LORD CHANCELLOR OF IRELAND.

1678, October 16.—That Lord Loftus's plea be set down for the first day for arguing of pleas and demurrers next term. *Signed, Henn. Devenish, deputy registrar. ½ p.*

1678, November 7.—After hearing debate upon defendant's plea (that matter already heard in the Chancery of Ireland should not be admitted into plaintiff's new bill) to which plaintiff answered that he only seeks to preserve the testimony of his witnesses to prove his pedigree:—That defendant is to answer plaintiff's charge touching his pedigree only, and if defendant admits the pedigree, plaintiff shall not be admitted to any examination. 2 pp.

Petition of DACRE BARRETT to the KING.

[1678 or 1679].—Alluding to the dismissal of his petition by the House of Lords in 1677 [*i.e.* Feb. 14, 1677-8], and praying that the Lord Chancellor of Ireland may be ordered to proceed to judgment and decree in the cause. 1½ pp.

Proceedings in the CHANCERY of IRELAND.

1679, June 5.—Notes. "Order of 28 November, 1671, read. The order of the House of Lords read.

Mr. Warren conceives the plaintiff is now wholly before the Court.

Lord Chancellor (sic). "That very well you have been dismissed by the House of Lords, and you would now have his Grace meddle with it. You must do this, you must get an order from the Lords that they dismiss it to law or equity. Lord Chancellor will give no order at all now. First bring in your petition, that it may be seen what was before the Lords." *Copy, signed, Thomas Wilson, Registrar.*

R. BARRETT.

1679, July 29.—"A note of what papers was left in Ireland in the hands of Mr. R. Barrett, junior, by his brother, relating to his concerns," with acknowledgment of receipt of the same. *Signed, R. Barrett. 1 p.*

SIR THOMAS LONGUEVILLE and ARTHUR WARD.

[Before 1680.]—Note of depositions of the above, concerning a deed made by the late and the present Lord Loftus. Sir Thomas deposed that he saw the deed in the present Lord Loftus's house on the Key of Dublin, and that he has a transcript of part of it, "but being of counsel with the defendant, was not officious to look into the same." 1 p.

WRITS.

1693-1695.—Four writs for the appearance of certain persons named, viz.: William Smith, clerk; James Knight, James Hamilton, and Francis and James Graham; at the King's Courts, Dublin, in relation to the business of Dacres Barrett.

RICHARD BARRETT.

[Before 1696.]—Brief of Richard Barrett's case in Chancery against Sir Richard Levison, Knight of the Bath, and Robert Charleton, esquire. The late Lord Newburgh, by an indenture made August 15, 11 Car.: [1], with Richard Fenn, alderman, and Robert Perry, merchant, and other assurances, settled his manors of Belhouse, Bretts Nook and Bumpstead in Essex on the defendants to the use of himself for life, and after his death to Katherine Perry, his then intended wife (whom afterwards he married) for her life, for her jointure; and after her death, for the term of five years to her executors for such use as she should direct, and after that to Lord Newburgh's heirs of his body, and in default thereof to defendants and their heirs in trust for such uses as Lord Newburgh should appoint by will or any other deed, and for want of such declaration, to his right heirs for ever.

The Lord Newburgh, having no issue, by his last will, dated March 17, 1643 [-4] willed his said estate in Essex to be settled upon plaintiff and his heirs, and died in or about December, 1644, leaving his wife Katherine his executrix, when, "by virtue of the settlement and of the statute, the defendants became seised in fee of the remainder of the premises expectant upon the death of the said Katherine and determination of the five years," in trust for plaintiff and his heirs, to whom they ought to convey the same; but this they refuse to do, sometimes pretending that they never took upon them the trust, and at other times alleging that they cannot so settle the lands without order of this court.

As the plaintiff cannot by common law compel them to execute the trust, but is relievable only by equity in this honourable court; the scope of the bill is to the end that defendants may upon oath set forth the truth, and show cause why they should not convey the premises according to the trust, or else be compelled so to do.

Answer. Defendants believe it to be true that Lord Newburgh was seised of the said manors and lands and that he made such settlement as is by the bill set forth; also that he made his will

and settled the said manors, &c., on plaintiff and his heirs, and that dying without issue, his wife, Lady Katherine, made probate of his will. But deny that they ever intended to deprive plaintiff of the benefit of the trust and beg to be discharged thereof, being ready to make such assurance to plaintiff and his heirs as shall be thought fit. *Margin: Responsio Rich. Levison et responsio Roberti Charleton.*

Underwritten, To move that the defendants may be ordered to convey the manors, &c., as by the bill is desired. 1 sheet.

BARRETT VERSUS LASLY.

[Before 1696.]—Richard Barrett appeared by his attorney, Godfrey Boate, and said that he had not prosecuted the cause against John and Andrew Young, Edward Helarke, Thomas and Terence Monaghan, Hugh Long, Dermot Hellagher, Cornelius Hellagher, Neal Galbreath, James McLeighlin, Edward Erwinge, William Graham, Walter Johnson, Thomas Bushell, William Douglas, John Erwinge, Robert Ree, William and Alex. Gredan, Edward Carrerders, John Hullaghan, William and Robert Hall, John Rynicke, Thomas Armstrong, Farrel McEgan, Thomas Elliott, William Elliott, Edward Thompson, William Armstrong, and Simon Hall, farmers of the tithes of John Lasly, as the said John Lasly complained, and that the said Lasly had no cause of action against him. Long before, Patrick O'Connelly, then abbot of the now dissolved monastery or religious house of Augustine Canons of Clonies, in the diocese of Clogher, in County Fermanagh, was *inter aliis*, seised of the monastery or religious house aforesaid, to which the impropriate rectory of Aghaveigh and the parish church belonged, and was seised of all the great and small tithes of the said monastery, until the time of the suppression of the same, viz., the twenty-eighth year of Henry 8; and by an act of the parliament called by the said King Henry at Dublin in this year it was enacted that the King and his heirs should inherit and enjoy the monasteries of Bectiff, St. Peter besides Trim, Duske, Dulake, Holme Patrick, Baltinglasse, Grane, Taghmolin, Dunbrody, Tinterne, the priory of Ballybogane, and the Abbeys of Hogges [St. Mary de Hogges, Dublin], and Fernes,* with all their manors, lands, reversions, tithes, parishes, churches, chapels, advowsons, &c., &c., in as large and ample a manner as the abbots, priors, abbesses, prioresses, or other governors of the said religious houses had done.

And the said King Henry VIII. was amongst others so seised of the monastery of Clonies and its possessions, and being so seised, died at Westminster, and after his death the said monastery, &c., descended to his son King Edward VI, who also died at Westminster, and left no heirs of his body; after which the monastery descended to the Lady Mary, his sister and heir; and on the death of Queen Mary, to Queen Elizabeth (all of whom

* Most of these are given in the accounts of the King's receiver for that year. See *Letters and Papers, Henry VIII.*, Vol. XII., pt. 2, pp. 461, 465.

died seised thereof), and on her death to King James, who on May 13 of the sixth year of his reign [1608] by letters patents under his great seal of Ireland (produced in court by the said Richard Barrett) granted the sites, circuits and precincts of the said dissolved monastery, to which the rectory and parish church [of Aghaveigh] had belonged time out of mind as a part and parcel of the said monastery, in Le Dartrey in Ma Mahowne's [McMahon's] country, in counties Monaghan, Fermanagh and Cavan, to William Bruncker and his heirs: By virtue of which letters patents the said William Bruncker was seised of the great and small tithes aforesaid; and being so seised, did, on June 1, 1608, at Clonies in consideration of a certain sum paid by Sir Francis Rush, grant to the said Sir Francis, of Castle Jordan, co. Meath, the aforesaid monastery of Clonies, with the rectory, tithes, &c., in Le Dartrey in Ma Mahowne's country in as ample a manner as they had been granted to him and his heirs by King James.

Sir Francis Rush died at Clonies on June 17, 21 Jac. [1623], and his estates descended to Thomas Rush, his son and heir, who dying on November 17, 1629, without heirs of his body, his estates descended to his three sisters—viz. Elinor Loftus, *alias* Rush, wife of Sir Robert Loftus, Mary Coote, *alias* Rush, wife of Sir Charles Coote, junior, and Anne Rush, as his co-heirs, who then became seised of the said monastery, each holding a third part.

In Michaelmas term, 9. Car. 1, [1633], a fine was levied at the King's Court, Dublin, before Viscount Sarsfield of Killmallock, Sir Samuel Mayart and Sir John Philpott, justices and others, between Charles, Viscount Moore of Drogheda, Sir Edward Loftus, Sir George St. George and John Gifford, Esq., of the one part, and Sir Charles Coote and Mary his wife, Edward Ormsby and Leonard Morton of the other part, by which the third part of the rectory and tithes of Agheveagh belonging to Mary Coote was assigned to John Gifford to the use of Sir Robert Loftus and Elinor his wife and their heirs until November 4, 10 Car. I, [1634], when it was transferred to the possession of the said Sir Robert and Elinor, the other third remaining in the hands of Anne Rush. In Hilary term, 11 Car. I. [1636], a fine was levied before Sir Gerard Lowther, Sir Samuel Mayart, Sir John Philpott and others, between Sir George Radcliffe, and Sir George St. George on the one part, and Robert, Elinor and Anna on the other part, in which the said Robert, &c., acknowledged the said rectory, &c. to be the right of the said Radcliffe and St. George for the use of the said Sir Robert for life and after his death for the use of the said Elinor for life and afterwards for their heirs, as by indenture made at Clonies, Nov. 10, 1635, between the same parties (and produced in court by the said Richard Barrett) more fully appears. By virtue of which deeds, the said Robert was seised of the said premises, &c. On May 1, 1643,* the said Elinor died at Clonies, leaving issue Henry and Anna, and on May 1, 1644, Sir

* This and the following dates are very inaccurate. Lodge gives them as follows:—Elinor, Lady Loftus, died May 27, 1639; Sir Robert, October 11, 1640; Henry, November 9, 1640; Anne, April 4, 1659.

Robert also died at Clonies, after whose death the aforesaid Henry his son entered into and enjoyed the said tithes, and being seised thereof, died on June 1, 1644, at Clonies, without heirs of his body, and his sister Anne, being his heir, became seised of the said tithes, and, on May 1, 1651, married Richard Barrett at Clonies, and Dacres Barrett is their firstborn son. Anne died May 2, 1655, at Clonies, whereupon her husband became seised of the estate for his life, and being so seised, brought his petition into this Court against John Lasly for taking away the said tithes. *Latin.* 11 pp. *Also a rough draft of the same.*

DACRE BARRETT v. JOHN GILL and JOHN BARLOW.

[Before March 25, 1714.]—Certificate of affidavit by Dacre Barrett that for thirty years he has been in possession of two-thirds of the tithes of Drumsnaught, co. Monaghan, and that the persons under whom he claims held them for eighty years before; and that he enjoyed them peaceably until August 13 last,* when (as he hears from Edward Kaine, his agent) defendants made a disturbance. Deponent leased the tithes to the defendant Barlow's father for twenty-one years, which lease expired March 25 last [1713], during all which time he received the rent reserved by the lease, and now has in himself a good title and estate in the said two-thirds of the tithes. 1½ p.

Also:

1. Memorandum that Mr. Richard Barrett granted a lease or minute to Archdeacon Smith of the tithes of Drumsnot at 5*l.* per annum. The Archdeacon gave the said lease to parson Ralph Barlow, who married his sister and became parson of the said parish. The lease expired "about 1st May last was three years," at which time the said Ralph treated for a new lease, but would not advance his rent, declaring that if he could not have it at the old rent he would set up his own title as parson of the parish, he being in possession. With note that the conveyance of Drumsnot from Bruncard to Sir Fras. Rush is "in the deed with tin boxes to the seals."

2. Memorandum:—A saving to Philip Fernley, Esq., of his interest in the unexpired lease of the manor and town of Drominagh.

The decree of James Barnewell of Bremore.

Robert Lynch drew the deed, being employed by Sir Christopher Bedlew. The deponent bound with Sir Christopher for the payment of the portion to the Lord of Ely, to whom the said wardship was granted.

By deed of Feb. 4, 1635 [-6], Mathias Barnewell of Breyncore, father to the claimant, in consideration of 900*l.* paid by Sir Chris. Bellew as a marriage portion with his sister Anne Barnewell, *alias* Bellew, claimant's mother, on her marriage with the

* The wording originally ran "on the 13th day of August, 1713."

said Mathias, enfeoffed to the said Christopher and Nicholas Barnwell, of Turvey, Esq., and others, all the lands, &c., for the use of the said Nicholas during his life.

A saving for Lieut.-Colonel Fearnley's lease of Drumnagh not proved to be sequestered.

Endorsed:—The decree of James Barnwell, Esq.

JOHN TODD to DACRE BARRETT.

1714, April 6. Dublin.—I send you the draft of an answer to Mr. Gill's bill made by Sir Toby Butler, and also a copy of Gill's letter, the certificate of Mr. Weaver, Registrar of the Diocese of Clogher, and a constat out of the First Fruits Office. "You will find that by Weaver's certificate, he has got himself entered in the Book of Clergy's titles both rector and vicar by Richardson, the late Register." Richardson happens (very luckily for Gill) to be dead, otherwise we might have made Gill's roguery appear in that matter, which I believe he got done for a small bribe. I also send you an account of lands and tythes belonging to your honour, which I suppose may be the handwriting of some of your ancestors. 1 p.

Addressed:—"To the honourable Dacres Barrett Esq. at Bellhouse near Essex."

Annexed,

The plea and answer of Dacre Barrett, defendant, to the bill of complaint of John Gill, Clerk.

For four score years and upwards he and those under whom he claims have been seised of the rectory of the parish of Drumsnaught, county Monaghan, and of two thirds of the great and small tythes there, which they have always quietly enjoyed save for the disturbance lately made by complainant, and some interruption in the time of the Rebellion. Says that complainant is only vicar of the parish, although he got himself unduly entered by the late Register, Mr. Richardson, in the book of the Clergy's titles, rector and vicar of Drumsnatt, and denies that Ralph Barlow, clerk, the former incumbent of the parish, ever made any lease of the tithes to defendant or defendant's father, or that they ever held such lease. In order to be quieted in his possession of the tithes from the late disturbances of complainant and others, he filed a bill in this Court [of Chancery in Ireland erased], and there is a prosecution thereon against complainant and one John Barlow for the supposed breach of the injunction of this court for quieting defendant's possession of the said tithes. Confesses that by indenture of August 16, 1692, he demised to the said Ralph Barlow his two-thirds of the rectorial tithes for twenty-one years, from March 25, 1692, for a rent of 20s. for that year, rising one pound a year up to 6l. for the year 1697, and so to continue to the end of the term; the reason for so small a rent at the beginning being that the parish was a great part of it laid waste by the late war. Believes that his father, Richard

Barrett, made some lease of the tithes to the said Ralph Barlow for a term of years which expired just before the lease made by defendant.

And further says that complainant was so well satisfied of defendant's right to the tithes, that he wrote a letter to defendant some time before the expiration of the said Ralph Barlow's lease, wherein he expressly mentions defendant's right to two-thirds of the said tithes, desiring defendant to make him a lease thereof when the said Ralph Barlow's lease should expire. Signed, Ric. Turner. Draft. 3 sheets.

JUSTICIAR of IRELAND.

[Undated.]—Extracts from the patent roll of 2 Edward I, membrane 8,* showing that the Justiciar of Ireland had the custody of that country, the placing and displacing of officers and full power to order the King's affairs there; that he was to order and dispose of the sheriffs of counties and they were commanded to obey him as the King himself. *Latin, with marginal notes in English. 4 pp.* [Probably used in support of the Lieutenant and Council's decree of Feb., 1637-8.]

* See *Calendar of Documents relating to Ireland, 1252—1284*, pp.175, 176.

MANUSCRIPTS
OF
PELHAM R. PAPILLON, ESQ.

ELIZABETH, QUEEN OF BOHEMIA, to SIR HARRY VANE.

[1632, March 29.-] April 8. N.S. The Hague.—“Honest Harry: I see by yours of the 22nd of March, that since the 12 you have had none of mine, though I have twice written to you since, and in one have sent you a cipher. I am sorry the faire [at Frankfort] will be no better for your recreation, I pray tell me how you like my brother in law,^{*} he was a prettie youth, but I have not seene him since he was a man, his wife will not imbellish the court for I heere she is verie evill favoured, heere is no newes stirring but of a strange Prince ‘Mainon’ who is lodged in the Princes little garden, whither he and the French Ambassadour doe goe and stay all day but diners and suppers, some saith it is Monsieur, others the Cardinall of la Valette, and twentie more named, but none knoweth but the Prince the French Ambassadour and Pau, he hath bene heere this weeke, when I know more you shall have it, in the meane time I pray lett me still know what you heere of the armie, for the kings going further off doth make me heere the seldomer from him, if you goe to the armie I dout not but your brest will be well filled with quick rattle enough and manie other fine adventures which I hope you will acquaint us with heere there is furiuse decree owt against Grotious. I can say no more at this time but am ever, your most constant affectionat friend, Elizabeth. The Hagh, this 8 of April S.N.”

Postscript.—“I doe long to heeare your treatie well ended.”
Holograph.

Endorsed:—Q. B. 8 April, 1631 † Haghe.

KING CHARLES I. to SIR HARRY VANE.

1632, September 24. Hampton Court.—“Harrie, the cause that ye have had no sooner an answer of the dispache, that your Secretair Curtius brought, is, to collect all the passages of this Treatie, by way of narration, and there by to show, that it was nether the falte of my instructions, nor of your negotiating, that broke it: And not out of anie doute what your answer

^{*} Lewis Philip, Duke of Simmeren, brother of Frederic, King of Bohemia, married a daughter of the Elector of Brandenburg in December, 1631.

† *Sic.* But evidently written in 1632.

should bee; so that you will find it suche, as if your selfe had penned it; the easiness of which, makes mee wholly to refer you to Secretarie Cooke; this being onlie to approve your proceedings in all this Treatie, and to assure you, that I am so far from laing anie falte to your charge, for the ill success of it, that I esteeme you more for this, then if ye had concluded a Treatie with litle difficultie: So wishing you a good journey homward, I rest, your loving frend, Charles R. Hamton Court, the 24 of September, 1632."

Postscript. "Deliver this to Hamilton* and tell him that he has beene long anufe at Scoole under a curst Scoolemaister."

Holograph. Endorsed. "Letter of King Charles the 1st to my Gafather written by his own hand, soe forth."

Also "Letter to S^r. H. Vane from K. Charles 1st under his hand."

OLIVER CROMWELL to his Cousin, EDMUND DUNCH.

1652[-8], March 19. Cockpit.—Sir, I receaved this enclosed from your Lady to which I returned this answere, I wish you alwaise both of one minde in that which is your dutye one to another and to your children, and rest, your affectionate cousin,
O. Cromwell.

Holograph. Seal of arms.

Addressed. For my Honored Cozen Edmund Dunch, Esqr., att Dounamnie [Down Ampney] theise.

Certificate by SIR THOMAS CHAMBERLAIN.

1662, December 9.—These are to certifie any whom it may concerne that I have knowne Thomas Papillon about 25 years, thirteen yeares therof or therabouts he lived with me as an apprentice and agent, and that the said Thomas Papillon hath constantly upon all occations manifested a cordiall and loyall affection to King Charles the first, and Martir, of ever blessed memory, and that for his endeavours to have restored his said most sacred majesty he was by an order of the then pretended House of Commons committed to Newgate in about the month of February Anno 1647, and noe bayle whatsoever would then bee taken for him. But after some time, with much difficulty after he had once been examined, myselfe and Mr. Pompee Calandrin entring into a bond of a very great somme for his apearance he was dismissed, in Testimony wherof I have heerunto sett my hand this 9th day of December, 1662. Tho. Chambrelan. Signed in the presence of us who know the contents to bee true. Charles Chambrelan: Jordan Fairfax.

Endorsed. 9 Decembr, 1662. Certificate of Sir Thomas Chambrelan about my sufferings for King Charles 1st and Martir of Blessed memory.

* James, Marquis of Hamilton, then with the King of Sweden.

G[VUILLAUME], PRINCE OF ORANGE, to SIR W[ALTER] VANE.

1674, [Jan. 23.] Feb. 2. The Hague.—Comme j'envoyé M^r de Reede en Angleterre, je ne le puis laisse partir sans vous escrire et vous assure de la continuation de mon amitié et estime, et que cette malheureuse geurre n'y a rien changé, j'espere de vous voir encore icy, et que je pourez avoir les moiens de vous temoigner par les effects la grande envie que j'ay à vous servir. G. Prince d'Orange. *Holograph. Seal of arms in garter, with coronet.*

Addressed. A Monsieur Monsieur le Chevalier Vane.

Endorsed. 1674. P. of Oranges letter to S^r. W. Vane.

THE SAME to THE SAME.

1674, [March 24.] April 3. The Hague.—Ce m'a este bien de la joye d'apprendre par la lettre que vous avez pris la piene de m'escrire, que vous estes enclin à venir servir icy, ce sera une grande obligation que je vous aurez, et je vous assure que vous ne vous en repantirez pas, puis que je vous ferez voir en tous occasions l'estime et l'amitié que j'ay pour vous. M^r de Reede vous dira sur quel pied vous pourez venir. Et comme je suis persuadé que cela vous satisfaira, j'espere de vous voir icy, au premier jour, puis que le plus tost que vous pourez venir se sera le mieux, le temps pour entrer en Campagne s'approchant; Je n'ajouterez à cecy que de vous prier de croire que je serez tousjours absolument à vous, G. Prince d'Orange. *Holograph.*

MR. WILLIAM CLEVERLY ALEXANDER,
OF HEATHFIELD PARK, SUSSEX,

has a few letters written by members of the Noies family in the seventeenth century. Among them is the following from John Noies, who was member of Parliament for Calne, written in June, 1610:—

“ Beloved wife my comendations remembred to youre selfe and to all my children. I have here sent unto you the maner of the creation of Prince Henrie. First that great roome, which is called the Courte of Requests was hanged rounde about with clothe of Arrasse with five or six benches or foormes one above another rounde about the house, and in the middes of the house there was at (*sic*) it were an allie rayled on eache side for a cleare passage to goe in and out. At the upper ende was the kinges throne with a riche canopie over his head, on his right hande sate the Lorde Chauncelor, and at his leaft hande the Lorde Treasurer, with the rest of the lordes, on eache syde some. A litell distance beneath that sate all the Upper House of Parlyment uppon red wolles sakes as the maner is. The Lorde Bishoppes sate on the right hande, and the judges and barrons on the leaft hande. In the verie middes of the howse there was a partition made after the maner of a barre of araiment, beneath the partition sate the whole Lower Howse of Parlyment, in the middes of which althouge unworthie I placed my selfe more boldlie then wisely I confesse. The Speaker of the Lower Howse sate in his chayre face to face right over against the kinges Majestie. And in the upper part of the Courte of Requests there were places of purpose provided for straung ambassadors, as the ambassador of Spayne, and the ambassador of Fraunce, and the ambassador of the Lowe Countries. Likewise on the leaft hande, there were seates prepared for the Lorde Maior of London, with xx of his bretherne; and a litell beneth them sate the litell sonnes of the nobilitie, I thinke to the number of xxiiij which was a verie goodlye sight to beholde so manie litell infants of suche noble parentage, about the age of nine or tenne yeares apeece, some more and some lesse. At the verie lower end of the Court of Requests in an upper roome above all the rest, there sate the Duke, the kinges second sonne, with his sister the Ladie Elizabeth, and the Ladie Arbella,* with manie other ladies, and maides of honor belonging to the Courte, onlie the Quenes Majestie her selfe was not at this action for ought that I coulde see or heare. I[n] an upper gallerie above all this were placed the trumpeters and drumme players to the number of xx or there abouts. Yf I should goe about exactly to discribe the

* Charles, Duke of York, afterwards Charles I.; Elizabeth, afterwards Queen of Bohemia, and Lady Arabella Stuart.

riche apparrell that there was worne of all estates this whole paper would not conteyne the one halfe thereof; to passe by the kinges attyre which was gloriouslie garnished with pretious stones and pearells, the noble men had red velvet garments with ornaments of white pretious furies uppon theyer shoulders, theyer hattes also were of red velvet made after the maner of cronets, with shinging gold bandes, and they did weare athwart theyer shoulders as it were girdells besett with pretious pearrells, as souldiers use to were theyer belts.

The Lord Mayor of London and his bretherne were all in red skarlet gownes with chaines of golde about theyer neckes for the most part of them, with other ornaments uppon theyer shoulders of silke chaungable cooloures. The Bishopps were in white riche apparrell with silke rochets about theyer neckes, of chaungable cooloures. The judges and barrons were also in red gownes with verie costlie and riche furniture about theyer neckes. The noble mens litell sonnes were in theyer dublets and hose of chaungable silkes, with theyer silke hattes and theyer feathers of divers cooloures. Yf I shoulde take in hand to write of the apparell and facions of the ladies and maydes of honor I shoulde be as foolishe as they were vaine, and therefore I saye no more then this that they were unspeakable brave, and intollerable curious. Yea and some knightes of the Lower house of Parlyment (as it is thought) did weare apparrell worthe an hundred poundes a man. Seaven laeces of gold of almost an hand breadth apeece, one above another^d rounde about theyer clokes was nothinge to speake of, for some of them the verie panes of theyer breeches were nothinge els but laces imbroydered with gold. The whole howse beinge thus furnished with sumptous and shinging apparrell I thought my selfe to be like a crowe in the middes of a great manie of golden feathered doves.

Well all this was yet nothinge to the maner of the prynces creation. After two howers expectation and more came the prynce in at the lower end of the howse accompanied with five and twentie knightes of the Bath, so termed as some thinke, because they were bathed and washed with sweete waters, all which were clad in purple satten garments after the facion of gownes, and the prynce him selfe in the like garment of the same stuffe, but his garment was girded unto him, and so were none of the rest. Then at the verie first appeeringe of the prynce, all the trumpeters and drumme players did sound out theyer instruments, with others which played uppon cornets and flutes with such an acclamation and exultation as if the heavens and the earthe would have come togeather; but this indured but a verie litell while. When the prynce was come into the middes of the howse, there he stode stille a while beinge attented with his five and twentie knightes. Then came there downe two noble men^e from the kinges side which led up the prynce, arme in arme, unto his father, but before he came at his father he made three verie lowe and humble curtesies, and after him followed the Earle of

* The Earls of Nottingham and Northampton.

Penbrooke and as some saide the Earle of Bedford* which carried the prynces robe after him betwixt them uppon theyer shoulders th'one end of the robe lyinge upon one of the Earles shoulder and the other end uppon th'other Eareles shoulder, which robe he was to put on afterward. After them followed twoo harrolles of armes th'one with a golden rod in his hande of the length of an elle and a halfe, th'other carried a sworde in his hande with gilded hilts and a blacke leather girdell and leather hangins.

When the prynce was come neare and right before his father the kinge, where there stode fower sergiants with fower golden maces uppon theyer shoulders twoo of them uppon the right hand and th'other twoo uppon the leaft hande, there the prynce kneled downe uppon his knees for the space of a quarter of an hower, while the kinges letters pattens for the prynces creation were read in Lattine, in the which letters he was first declared to be the heyre apparant unto the Crowne of England and also unto the Crowne of Scotland. Then he was declared to be the Duke of Cornewall and the Earle of Chester by his birthright. Afterward by the vertue of the same letters pattents he was created the Prynce of Wales and also the Prynce of Ratsie [*i.e.* Duke of Rothsay] in Scotland. Then did twoo other noble men put on divers robes uppon the prince, and the Kinges Majestie himselve did put a cronat of golde uppon his head, and gird the fore saide sworde uppon the prynce with his owne handes, and did put the golden rod into his hand, and a ringe of gold uppon his fynger and kissed him and so tooke him up from his knees. Then twoo of the noble men did place the prynce uppon a royall seat at the kinges leaft hande. These thinges beinge thus performed the trumpeters and drume players blewe theyer trumpets and strake up theyer drummes againe with a verie pleasant noyse for the space of a quarter of an hower, and so fynished the creation of the prynce with a verie joyfull and solempne applause everie man reioysinge and prayinge God, and the kinge and the younge prynce, whose lyves God longe continew in all happines and honor and after this mortall life graunt them everlastinge life in the worlde to come, Amen, Amen.

This creation of the prynce was uppon Mondaye last; uppon Tuesdaye at night there was great maskinge at the Court whereof I was no eye witnesse for I love not suche kinde of spectacles, but as I have heard there was exceedinge braverie both amonge men and also amonge women with suche revellinge and daunsinge as belongeth to suche workes as be done in the night, with no small expenses I warrant you bothe in apparrell, and in manie other needles imployments. Uppon Wensdaye in the after noone there was great runninge of great horses at the tilt, which had suche costlie furniture about them (as I have heard) that never the like was seene in England. I was not present thereat for feare of hurtinge my selfe for I set more by mine

* This is a mistake. The Earl of Sussex bore the robes, and the Earl of Huntingdon the train. Pembroke's and Bedford's names are in the list of noble-men present, but not in attendance on the Prince.

owne saffie then I do by all the pompe and glorie in the worlde. It was saide that it cost the noble men no lesse then a thousand poundes apeece, and some of them a great deale more. Theyer saddells and theyer saddell clothes were altogether layde over with golde laces as thicke as they coulde lye, and some of theyer saddell clothes were imbroydered with golde and beset with pearells, and as it was saide the armor which the noble men did weare uppon theyer backes, were some of them of shininge silver, and some of them were gilded over with gold, and the plumes of feathers which they did weare in theyer head peeces were exceedinge great and unspeakable costlie, everie man havinge as manie cooloures in his plume as coulde possiblie be invented and imagined.

Manie noble men did behave them selves verie valiantlie in runinge at the tilt, but esspeciallie the Duke of Linage [Lenox], the Earle of Arundell, and the Lorde Northe, who never missed to breake theyer stafes one uppon another most courragiously, but of all the noble men it is thought that the Lorde Compton was at twice so muche charges as any of the rest; he buylded himself as it were a bowre uppon the topp of the walle which is next to St. James parke, it was made in the maner of a sheepcote and there he sate in a graye russet cloke as longe as a gowne, and he had a sheepe crooke in one hande withe a bottell hanging theron and a dogg in a chayne in th'other hand, as thoughe he had bine a sheeheard, and thorowe the topp of the bowre there stooode up as it were the mast of a ship gilded rounde about with golde and uppon the topp thereof there was fastned a panne with fyre burninge in it, and as some thought there was pitche in it and an iron marke to marke sheepe withall. What the morrall of this shoulde be, I can not tell, unles it shoulde signifie that my Lorde Spenser^{*} his father in lawe was a great sheepemaster and that he fared muche the better for the waightie fleeces of his sheepe. After that he sent forthe an ambassador unto the kinges Majestie, who looked forthe of the windore of the gallirie, which is at the upper ende of the tilt-yarde, and as the ambassador talked with the kinge he would often tymes poynt backward with his hand toward the bowre where my Lord Compton his master was. What was the conference betwixt them I have not hearde and therefore I can not tell.

After that ambassador, a Scottishe Lorde sent unto the kinge a pagiat,[†] made after the facion and forme of a clowde, which clowde as it marched forward would cast forthe and disperse water uppon the people as it had bine rayne, and sometymes fyre also as thoughe it had bine lightninge. When the clowde came nere unto the kinge, it opened it selfe all abrode, and within it, there were bothe men and women and children verie costlie apparrelled. Yet this is not all, for afterward my Lorde Compton descended from his sheepcote, and mounted him selfe uppon a

^{*} Sir John Spencer, reputed the richest citizen of his day.

[†] Probably a contraction mark has been omitted by accident. A "pageant," in its original meaning, was a moveable stage.

loftie steede, bothe himselfe and his horse beinge richely and sumptuouslie apparraled and furnished; his men also attendinge uppon him on horsebacke in verie brave attyre, howbeit everie one wearinge a hat of strawe, and havinge theyer faces paynted as blacke as the devill, and my Lord Compton behaved himself valiantlie also runninge at the tilt with some of the noble men, and so shewed the kinges Majestie more pleasure and delectation then any of the noble men beside. Yet there was another triumphe upon the Temmes in the eveninge upon Wensdaie night; there was built a castle uppon twoo boates fastned together, which cost a great deale of monie. This castle was furnished bothe with men and munition, with great canons and other gunnes charged onlie with gunpouder, and twoo pinnisses were also furnished with men and the like munition which beseeched the saide castle, and they incountred one another a longe tyme, with manie an idle shot without any hurt at all till at the lengthe the warriors in the twoo pinnisses found the meanes to set the castle on fyre and so burnt it downe to the water; but ye must imagine that the souldiers in the castle were first escaped out of the castle, or els you knowe there woulde have bine waste. Yet this was not all the sport, as they saye that sawe it, for some of them were so cunninge that they could make fyre workes to mount and to flee up into the ayre wise so highe as St. Paules tower and when it was at the highest it woulde streame downe agayne as longe as bellropes, and the fyres did seeme to fight and to skirmishe one with another in the skies, which was verie pleasant to beholde in the darke eveninge, and at length they would descend againe as it were bucklinge and strivinge togeather untill they were extinguished in the water. These thinges I receaved by hearesaye fo[r I] sawe them not, and therefore if I have fayled in any thinge, it is because I was misinformed my selfe, not because I delight to forge any lies.

Jesus
Christ."

Endorsed:—The creatin the Prince of Wales.

Also with the following memoranda:—Directions from the Kinge, 18 of Julie.

Justices of peace to kepe house at home.

Observation of fishes daies neclegted.

Watches neglected.

Buylding of cotages uppon or nighe Highe waies to be reformed.

Destruction of woodes to be reformed.

Wastinge of gold and silver uppon guildinge of rapiers and daggers.

Lawiers fees to be moderated.

An act for the better execution of justice and for the strengthning of the officers.

An acte for the more punishinge of rogges, vagabounds and sturdie beggers.

An act for the better reforminge of ale[house]keepers.

An act for the punishinge of false and deceitfull spinners and weavers.

An act for the avoidinge of the double payment of debts.

An act for the better breedinge of kine and calves.

(These Acts were all passed in the Session February–July, 1610.)

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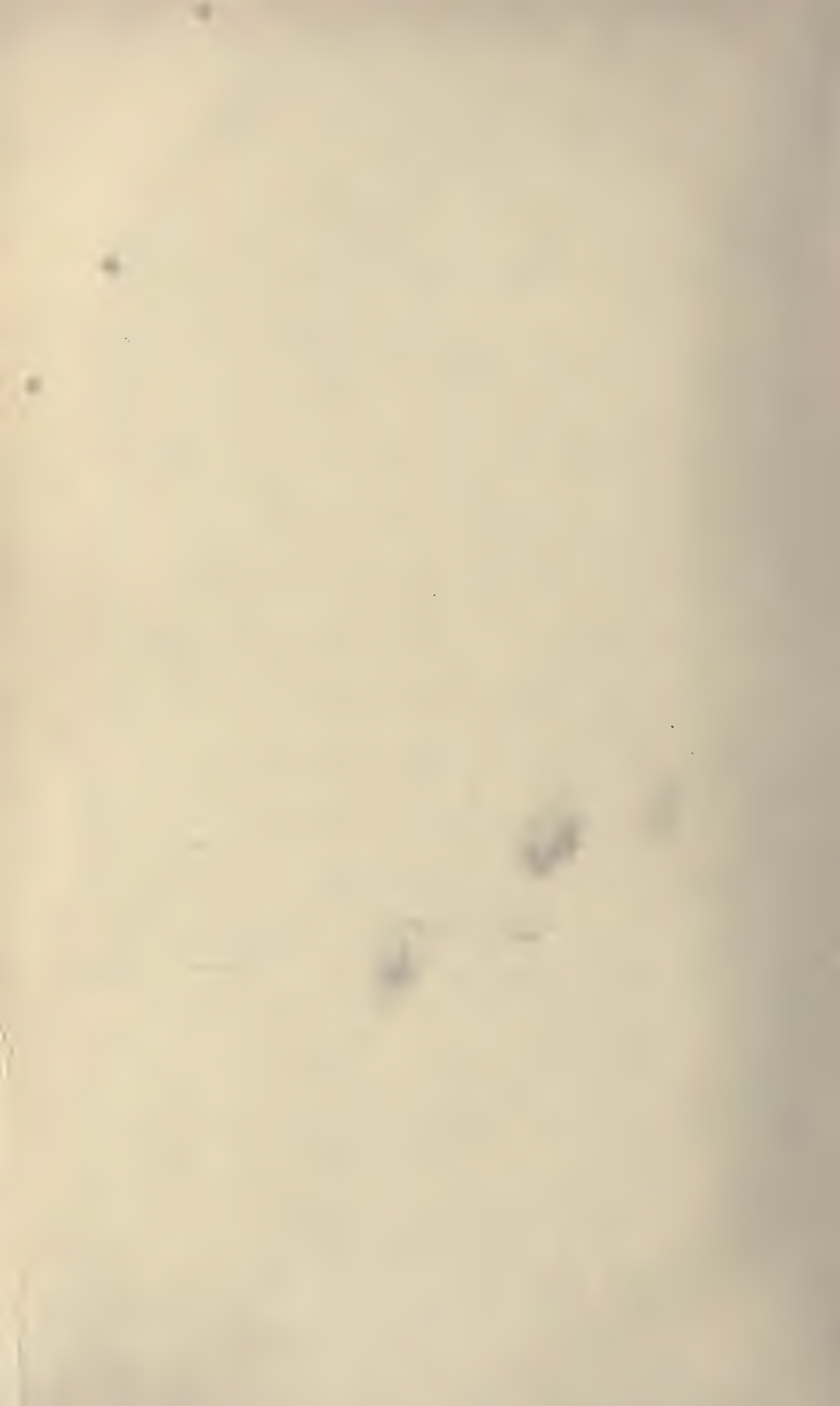
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THE RECORDS

OF

THE BISHOP OF SALISBURY.

THE records of the Bishop of Salisbury are stored partly in his lordship's muniment room adjacent to the gateway opening from the palace grounds into Exeter Street, partly in a strong room in the Diocesan Registry. The loose parchments and papers, including those which have subsequently been bound in volumes, together with the Act Books and similar records, are kept in the former; while the Registers and other volumes, as well as modern documents required for current reference, are preserved in the Registry. Of the whole collection there exists a brief inventory in manuscript, drawn up some years ago by Mr. A. R. Malden. The documents are well kept and properly arranged; but they do not for the most part call for detailed notice in this report. The local records are classified by place and date, so that anyone who wishes to consult them for the purpose of ascertaining particulars of local history will find sufficient indications in Mr. Malden's list. A notice of their principal classes will be found below.* The bound volumes have a more general importance.

REGISTERS, BOOKS OF STATUTES, &c.

The BISHOPS' REGISTERS begin with that of Simon of Ghent, 1297. Forty-six volumes are complete; the forty-seventh, at present in progress. There is a gap after 11 August 1646, and the register is not resumed until 31 October 1660.

Other official volumes are the DEPOSITION BOOKS, 1551-1816; VISITATION BOOKS, from 1585; and PROCURATION BOOKS, 1680-1851. To these should be added the series of ACT BOOKS, which range from the sixteenth century onwards; the earlier portions consist of loose leaves and are very dilapidated.

The VETUS REGISTRUM ECCLESIE SARUM, commonly known as St. Osmund's Register, was written c. 1220-1240. It was edited by W. H. Rich Jones in the series of *Chronicles and Memorials* published under the direction of the Master of the Rolls, 1883-1884.† The Consuetudinary from this book has been more, recently edited by the Rev. W. H. Frere (*The Use of Sarum*

* See pp. 11 seq.

† This edition, entitled *The Register of St. Osmund*, is here cited as *RSO*.

Bishop of
Salisbury.

Cambridge 1898), where the volume is fully described by the Rev. Christopher Wordsworth (intr., pp. xlv–xlix). On the character of Rich Jones's edition there are some remarks by Mr. Wordsworth (pp. lv, lvi), which indicate that its fidelity is open to question.

A volume of the STATUTES of the cathedral church, written in the fourteenth century and bound in an old binding with an iron hasp for a chain, bears an old foliation and has also been paged. It is marked *Tomus 16* in an early seventeenth-century hand. Not much use of the volume has been made by E. A. Dayman and W. H. Rich Jones in their edition of the *Statutes of the Cathedral Church of Sarum** (Bath 1883), which is mainly compiled from other books. It is there referred to under the name of the *Old Statute Book*, but in the *Sarum Charters* edited by Jones and the Rev. W. D. Macray† (London 1891), p. ii, it is called *Liber Niger*, a designation which is perhaps not without authority,‡ but which is inconvenient because it leads to confusion with bishop Beauchamp's book known by that name.§ The book contains, first, a calendar, which has been printed by the Rev. Christopher Wordsworth, *Ceremonies and Processions of the Cathedral Church of Salisbury* (Cambridge 1901), pp. 231–242. Secondly, statutes—

f. 1 (p. 13).—The statutes of bishop Roger [Morteval]. These are printed in *Stat.* p. 25, but from a later transcript, either one in this Registry or else one in the possession of the Dean and Chapter.|| The margin of the present manuscript contains numerous notes and catchwords. In the text many words have been struck through by a protestant pen. The statutes end on f. 30 (p. 71).

f. 31 b (p. 74).—*Magna Carta Osmundi de collacione prebendarum*. Printed from the *Vetus Registrum* in *Stat.* p. 1.

f. 32 b (p. 76).—Anno ab incarnatione domini m.cc.xx. quarto Kalendis Maii factum est fundamentum noue ecclesie Saresberie, auctoritate domini pape Honorii tercii et domini Pandulfi tunc eiusdem legati, assensu et uoluntate illustrium regum Anglie Ricardi, Johannis, et Henrici filii eius, presidente eidem ecclesie domino Ricardo uenerabili pontifice.

Followed by the charter of Henry I. (contained also in *RSO.* i. 200).

f. 33 (p. 77).—*Carta noua* of queen Matilda (*RSO.* i. 202).

f. 33 b (p. 78).—*Carta H. regis de collacione et confirmacione ecclesie de Malmesberie*. Charter of Henry I. granting the church of Malmesbury to the church of Salisbury and bishop Roger. Printed from this book in *SC.* p. 6.

f. 34 (p. 79).—*Carta H. regis de collacione decimarum in forestis* (*RSO.* i. 206).

f. 34 b (p. 80).—*Carta H. regis de libertate de thelonio et consuetudinibus*. Charter of Henry I. granting to the canons of Salisbury that

* Cited hereafter as *Stat.*

† Cited hereafter as *SC.*

‡ See C. Wordsworth's *Ceremonies and Processions*, p. 229.

§ See below, p. 7.

|| See Hist. MSS. Comm., *Report of Manuscripts in Various Collections*, i. 386 (cited hereafter as *Rep.*).

they be quit in markets and fairs through all England from all toll and custom in all his dominion. Printed from other copies in *SC.* Bishop of Salisbury.
p. 4.

f. 34 *b* (p. 80).—Charter of Henry II. (*RSO.* i. 208). The original is in the Dean and Chapter's muniment room (*Rep.* p. 362).

f. 34 *b* (p. 80).—Charter of the empress Matilda, *Anglorum domina*. Printed in *SC.* p. 11. The address is *Iohanni scilicet (Sci) Gist*, not *Iohanni filio Gist*.

After this a leaf has been lost and its contents have been supplied in later hands. The constitution of bishop Richard concerning residence is continued in the original on f. 35 (p. 83): it is printed from *RSO.* in *Stat.* p. 13, but the last paragraph (printed on p. 16) is absent from the manuscript here described.

f. 36 *b* (p. 84).—Ordinance of bishop Robert. Printed from another copy in *Stat.* p. 16.

f. 37 *b* (p. 86).—Ordinance of the dean and chapter. Printed from another copy in *Stat.* p. 17; but the document ends with a sanction (*Si quis autem*) which is not in the edition, and the date is *xiii* not *xii Kal. Maii*.

f. 38 (p. 87).—Record of a meeting in chapter on 31 May 1244 whereat bishop Robert [Bingham] handed over to the dean and chapter the custody of the new bridge and chapel and of the hospital of St. Nicholas at Salisbury.

f. 38 *b* (p. 88).—Charter of Stephen concerning churches at Odiham. Printed in *SC.* p. 8.

f. 39 (p. 89).—*Constitutio de maiori sigillo custodiendi*. Another text is in *RSO.* i. 374, where the first paragraph on p. 375 opens a new series of constitutions, the titles of which are correctly given in notes 1 and 3, and p. 377 note 1. The section *Horarum autem tempore*, p. 377, bears the title *De silencio et gestu in choro* in this manuscript; *Si in aliqua prebenda* (p. 379) is entitled *De uisitacione prebendarum*.*

f. 42 (p. 95).—*De iurisdictione cancellarii Saresberiensis*. Printed from another copy in *Stat.* p. 23.

f. 42 *b* (p. 96).—Foundation by bishop Giles [Bridport] of the house of the scholars of the scholars' vale of St. Nicholas. Printed from other copies in *SC.* p. 334.

f. 43 *b* (p. 98).—Ordinance of archbishop Boniface, 1262. Printed from another copy in *Stat.* p. 18; when the list of those present at Reading on 18 Jan. 1262 does not appear, nor the following clauses of validation at the end:

In cuius rei plenius testimonium et munimen instrumento in modum cirographi confecto sigilla nostra alternatim apposuimus. Et ut presens compositio firmitior habeatur prior et capitulum Cantuarienses ipsam expresso ratificantes consensu presens instrumentum sigilli sui munimine roborauerunt.†

* Among the persons present at the making of this *nova constitutio* (*RSO.* i. 380), the surname of Philip de Havekech is here (f. 41 *b*, p. 94) carefully written *Haueskeschynb*; Mr. William de Teale is *W. Teise*; and *Herebert* has the surname *bedewind* added in different ink.

† *MS. roboratum*.

Bishop of Salisbury. f. 46 (p. 103).—Foundation by bishop Robert [Bingham] of the hospital of St. Nicholas. Printed in *SC*. p. 295.

This portion of the book is concluded by a table of contents on f. 48 *b*. The following was written in the early part of the fifteenth century. It comprises a taxation of prebends, a division of the Psalms among the prebendaries* (f. 49 *b*), and a list of bishops continued (partly in autograph signatures) down to 1721 (f. 50 *b*). Then on f. 51 *b* (p. 122) in the statute of bishop William [Ayscough] of 1440, printed in *Stat.* p. 93; *statutum de finibus canonicorum*, 7 Jan. 1428 (f. 53 *b*), printed in *Stat.* p. 92 (when the date is erroneously given as 8 Jan.), with its confirmation by Eugenius IV. (called V. in the manuscript), Florence, 28 July 1442 (f. 54, p. 119). After these, from f. 55 *b*, are inserted a series of chapter acts from 4 March 1334/5 to 18 June 1375 (printed in *Stat.* pp. 80–82); the confirmation by Boniface IX. of the composition between bishop John [Waltham] and the dean and chapter, 30 Aug. 1392, reciting the latter (printed in *Stat.* pp. 82–92). The end of the bull is omitted on f. 57 (p. 125).

On f. 64 *b* (p. 140) is a statute of 1528 touching payments to the communar.

On f. 65 (p. 141) are the injunctions of Henry VIII., 1535, printed from another copy in *Stat.* pp. 102–104, with the heading given in p. 102 note 1 (where *institutorem* should be *visitorem*).

F. 67 *b* (p. 146).—Declaration by John Tregonwell at the visitation just mentioned concerning the authenticity, confirmed by the oaths of the canons, of the Customary of St. Osmund. Printed from a transcript in *RSO.* i. p. xxxviii.

F. 69 (p. 148).—The duties of the chanter of the church, opening with an extract from *RSO.* i. 6, and continued by documents relative to his peculiar jurisdiction at Westbury, &c.

On f. 76 *b* (p. 163) begin miscellaneous documents and memoranda concerning the chapter and its members.

F. 78 (p. 166).—*Hee sunt dignitates*. The institution of St. Osmund, printed in *RSO.* i. 212, *Stat.* p. 5; in the present very late copy dated 1096.

F. 79 *b* (p. 169).—The oaths of dignitaries and vicars,† added in the seventeenth century.

F. 80 *b* (p. 171).—Memorandum that on 17 Oct. 1573 John Piers, dean, Richard Chandler, Thomas Lancaster (archbishop of Armagh), James Procter, John Colcell, and John Bolde, canons residentiary had inspected the book of statutes of the church and *quam plurima in eodem superstitiosa, uerbo dei, et legibus huius regni Anglie contraria inuenimus*. Wherefore decreuimus quicquid in dicto libro statutorum scripture sancte dissonum est, et statutis huius regni Anglie repugnans, penitus abrogandum fore, et abrogatum esse hiis scriptis indicamus.‡ Signed and attested. Printed from another copy in the Appendix to the 1st Report of the Cathedral Commissioners, 1852, p. 377, and in Wordsworth's *Ceremonies*, p. 138.

f. 81 (p. 172).—Extracts from *RSO.* i. 1–12 (ending with *expletur*

* Cf. Wordsworth's *Ceremonies*, pp. 129–132.

† Cf. Wordsworth's *Ceremonies*, pp. 109–116.

‡ For *iudicamus*.

officium), and other miscellaneous notes on dignities, oaths, &c., in several late hands of the sixteenth and seventeenth centuries. The notes on oaths taken between 1548 and 1583 on ff. 83 b, 84 (pp. 177, 178) are interesting. On one of the end fly-leaves are Latin verses in a fifteenth-century hand playing on the names of the bishops of Salisbury.

The LIBER EVIDENTIARUM *B.* (thus called, as the Bishop's book, to distinguish it from a similar volume, *C.*, in the possession of the Dean and Chapter*) is a volume begun not long after 1308 and bound in oak boards. It bears no mark of indication: in the preface to *SC.* p. ii., it is styled *Reg. B.*; but in the body of that work, except on p. 373 note 1 (where again it is called *Reg. B.*), and on pp. 239, 334 (where it appears as *Lib. B.*), it is cited as *Lib. Evid. B.* The foliation is incomplete, but the documents are numbered continuously throughout. The book stands in a close relation to the REGISTRUM RUBRUM, a volume also written in the early part of the fourteenth century; and the two may be here treated together. Both have been largely used in the compilation of the *SC.*, but not so largely as the *Liber Evidentiarius C.* It is however probable that Jones actually made his transcripts from some one or other of the later copies of these chartularies, which he found more convenient to handle. He was of opinion† that the *Liber Evidentiarius B.* (which I shall cite as *B.*) was copied from the *Registrum Rubrum R.*; and this view was certainly entertained in the seventeenth century. Thus the index prefixed to *B.* (f. 47) is headed in a modern hand *Index Registri Rubri.*‡ But the following fact seems to be decisive for the priority of *B.* Art. 395 in *R.* stops short in the middle of a sentence in the *middle* of a page, which is the last page of a gathering: the sentence is continued properly at the top of the next page (f. 96), which begins a new gathering, in a different hand. In *B.* the sentence is broken exactly at the same place at the end of a gathering but also at the *end* of a page (f. cvii b). That is to say, the quires of *B.* (as yet unbound) were given to two clerks to copy. One had the gathering ending with f. cvii; the other, that beginning with f. cviii. The former ought to have so arranged his writing so as to fill up f. 95 of *R.* completely; but he failed to do this, and left an imperfect sentence in the middle of a page. The handwriting of *R.* moreover appears to me a little later than that of the original portion of *B.*

The two books have indexes prefixed, and these agree as far as art. 419. *B.* then proceeds with 420, the agreement between Reginald Toudeworth, mayor, and the bishop (Thursday, morrow of St. Martin, § 1306). *R.* on the other hand here inserts the mandate of Edward I. to the sheriff of Wilts to summon the mayor and citizens of Salisbury to attend at Westminster on Midlent Sunday to show cause why they should not be tallaged, Lent 33 Edw. I. [1304/5], with the record from the parliamentary roll

* See *Rep.* p. 386.

† *SC.* p. ii.

‡ The notes entitled in *Rubeo Libro* on the back of art. 423 (f. cxxiii. b) prove nothing, for they refer to the *Red Book of the Exchequer*.

§ This date is incorrect and impossible. Perhaps *morrow* is a clerical error for *eve*.

Bishop of
Salisbury.

printed in W. Ryley's *Pleadings in Parliament*, p. 273 seqq. (1661); after which comes the agreement between Reginald Tudeworthe and the bishop, ending imperfectly at the end of a gathering. The mandate is the last document numbered in *R*.

B. proceeds, from the point last mentioned, with No. 421 a list of citizens arranged under the Aldermanries of the new town [of Salisbury]. Printed in Benson and Hatcher's *Salisbury*, p. 743. Art. 423, an extract from Domesday book, which is dated on 8 November, 1308, was written subsequently to, but perhaps in the same hand as, the body of the book; and this refers back (on f. cxviii) to proceedings of apparently 10 November 1306.* Then, after some entries of later date, art. 427, a composition between the bishop and his archdeacons *super probacionibus testamentorum*, 8 Jan. 1292/3, and three other deeds, are written in a hand of the original date. The following articles, 431-540, are deeds and memoranda added at various times in the fifteenth and sixteenth centuries. Among these mention may be made of:

Art. 436.—Bull of Boniface IX. (printed in *Stat.* pp. 82-92), containing the final portion (omitted in the edition), and the date, Perugia, 15 Kal. Maii a. 4 [1393].

Art. 450 (f. 141).—Grant by bishop William [York]

quo magis inclaustrum nostre Saresberiensis ecclesie competenti cernat in forma et materia decoretur, et ipsi ecclesie nostre cathedrali honorabilibus coaptetur, de consensu domini R. decani et capituli nostri de nostra propria area concedimus sexdecim pedes in latitudine secundum longitudinem et quadraturam illius quarterii de inclaustro uersus austrum, quod nostre coniungitur mansioni, saluo nobis et successoribus nostris postico ad ingrediendum et egrediendum de curia nostra uersus ecclesiam per medium claustrum.

15 June a. 1 [1248].

Prefixed to the volume are miscellaneous documents in late hands: among them,

P. 3.—Innocent III.'s rescript for freedom of elections in the churches of the kingdom of England, ending abruptly in consequence of a leaf having been torn out.

P. 6.—Transcript from the *R.S.O.* ii. 1-17.

P. 16.—Confirmation by Henry VI. of the charters of the church of Salisbury. 20 Febr. a. 20 [1441/2].

Then, p. 17, in a fourteenth-century hand, a deed of 1364 concerning a dispute about a meadow in the possession of a member of the chapter.

P. 18.—Henry III.'s third confirmation of Magna Charta [1225]. Printed in the *Statutes of the Realm*, i. 22.

P. 23.—Henry III.'s charter of the forest [1217]. Printed *ibid.* i. 20.

P. 25.—Oaths administered to Henry III. on his coronation. *French*.†

* See above, p. 5, n. §.

† Similar oaths are endorsed on enrolments of the Ordinances which here follow. See *Statutes of the Realm*, i. 168; Rymer, ii. 36; Palgrave's *Parliamentary Writs*, ii. div. ii. app. p. 10.

P. 27.—Letters authorising the appointment of persons to make Ordinances. 16 March 3 Edw. II. [1309/1310]. *French*. Printed in Rymer, ii. 105. Bishop of Salisbury.

Letters of Archbishop Robert [Winchelsey] and the nobles publishing the Ordinances. 17 March 1309/1310. *French*. Printed from the Close Roll in Palgrave's *Parliamentary Writs*, ii. div. ii., appendix, pp. 26 seq.

P. 28.—The Ordinances [Oct. 1311]. *French*. Printed in the *Statutes of the Realm*, i. 157 seqq.

P. 44.—Charter of Edward I to foreign merchants. Windsor, 1 Febr. a. 31 [1302/3]. Printed from an inspeximus of 2 Edw. III. in Rymer, ii. 747.

The REGISTRUM RUBRUM has already been described so far as its contents correspond with those of the LIBER EVIDENTIARUM B. At the beginning are some pages written in the fifteenth century and foliated by letters of the alphabet. On f. c is the charter noticed above in B. p. 44. Then comes the index of contents, after which on f. 1 begins the original portion of the book (*i.e.*, that which is transcribed from B.), its articles being numbered from 1 to 420, and ending on f. 104b. What follows is of the fifteenth century.

F. 104b.—Documents on the liberties of the church of Salisbury, and its property.

113–140.—A series of forty papal bulls ranging in date from the pontificate of Honorius II. (1125) to that of Calixtus III. Some of these are printed from this book in the *Sarum Charters*, pp. 12, 329, 375, 377, 374 (*cf.* pp. 22 n., 29 n.), in Benson and Hatcher's *History of Salisbury*, p. 751 (*cf.* p. 725), and in Mr. A. R. Malden's *Canonization of St. Osmund* (Salisbury 1901), p. 224. Others have been printed from confirmations and from other transcripts.

f. 140.—Bishop Beauchamp's ordinance for the Hungerford foundation, followed by miscellaneous documents transcribed in the fifteenth and sixteenth centuries, down to f. 197, where the volume ends.

The LIBER NIGER EPISCOPI SARUM, drawn up for bishop Richard Beauchamp, opens with a memorandum of his consecration as bishop of Hereford, 9 Febr. 1448, but proceeds at once with documents relating to Salisbury. It contains mayor's oaths, charters concerning episcopal property, ordinances about weights and measures (f. 4b), royal writs for assessing talliages, &c., documents on the relations between the bishop and the city of Salisbury; measures of arable land (f. 12b), *exposicio terminorum* ('Sok hoc est secta de hominibus', &c., f. 13), extracts from the plea rolls, *peticio facta illustrissimo principi domino E. iiiij^o per inconsultos et maleuolos maiorem et confederatos ciuitatis noue Sarum* [1466–1468*] (f. 28), with the king's reply (21 Oct.), charters relative to the bishop's property in London (f. 46).

* See Benson and Hatcher's *Salisbury*, pp. 764 seq.

- f. 74.—Nos Ricardus Beauchamp permissione diuina Saresberiensis episcopus in anno domini millesimo cccc^{mo} quinquagesimo primo causatus est ob pericula emergencia, nuperimas insurrecciones, rotulorum raciociniorum euidentiarum et librorum ob uetustatem periclitandorum et in palacio nostro Saresberie ac alijs manerijs nostris per quosdam capitaneos eorumque exercitus horribiles combustionem, labilem memoriam, et breues dies hominum, magna munimenta permaxime necessaria nobis successoribus nostris et ecclesie nostre Saresberiensi ac quarumcunque aliarum ecclesiarum rectoriarum uicariarum capellarum hospitaliorum zenodochiorum et cantariarum ac quibuscunque subditis nostris sub nostris proteccione et iurisdiccione commorantibus in diuersis voluminibus licet non per ordinem set prout potuimus collecta nostram inuentutem unde labor desuper elargitus et ob subditorum quietem uoluntarios labores inextinguibilem appetitum unde profecto licet arduis regni et ecclesie negocijs prepediti ocium consumere non ualemus Adhuc rei publice ecclesieque causa tempus quod capere poterimus ad uetera singula et noua munimenta prospicienda laborem proprium accomodauimus oculis atque tradimus et quantum ex deo nobis possibile est in hoc volumine compilauimus dictauimus et medullam declarauimus sicuti ex sequentibus intuenti patebit luculenter. Auspicijs huius opusculi erit ex repertis in registro reuerendi in Christo patris et domini domini Rogeri Mortuallii quod primum per manibus habuimus. In quo inspeximus quandam compositionem inter Nicolaum episcopum Saresberiensem et archidiaconos super probationibus testamentorum que sic incipit.
- f. 81.—Customary of Sonnyng.
- f. 90.—Court roll of Remmysbury. Friday, St. Peter's Chair, a. 5 Edw. III. incip. [22 Febr. 1330/1].
- f. 94.—Rental of Remesbury. 4 Febr. 1 Edw. IV. [1461/2]. With f. 108 begin entries in a sixteenth-century hand.
- f. 108.—Court roll of Remmysbury [The same as that on f. 90].
- f. 116.—Plea roll of itinerant justices at Wilton, Octave of Easter 9 Edw. I. [April 1281].
- f. 124.—Inquest touching the military service of the see. April 15 Edw. II. [1322]. Followed by services of customary tenants.
- f. 150.—Churches belonging to the abbey of Abingdon.
- f. 151.—Terrier of Eya [in the parish of Sonning].
- f. 155.—Rental of Salisbury.
- f. 168.—Rental of Sonnyngges. July, 31 Hen. VI. [1453].
- f. 174.—Rental of Wokyngham. July, 31 Hen. VI. [1453].
- f. 184b.—Rental of Shirborne, 1377, with other documents relating to the place.
- f. 200.—Customs of Yatemynter.
- f. 219.—Documents about Langley Wood, 1551-1552.
- f. 220.—Documents concerning Devysis.
- f. 228 b.—Valor of the See, temp. Eliz.
- f. 235 b.—Taxatio prebendarum.

f. 242.—Names of those who paid homage to bishop Ralph Ergham. Bishop of Salisbury.

f. 250.—Licence by Clement VI. for the foundation of a college of canons in Windsor castle. Avignon, 12 Febr. a. 9 [1350/1].

A CHARTULARY OF THE ABBEY OF READING, found 29 Jan. 1688/9 in the archives of the bishop of London and then, as it is expressed, restored to the see of Salisbury. Its date is of the early sixteenth century. Ff. 94. Of this book Mr. Malden has made a manuscript index.

In a deedbox in the Registry, marked *Ancient Documents*, are several volumes, including a thin quarto book entitled EXCERPTA EX REGISTRIS VETERIBUS, written in the seventeenth century and later.

Of greater interest is the LIBER NOTITIÆ of bishop Seth Ward, a pocket volume measuring $9 \times 3\frac{3}{4}$ inches and bound in leather. It is a commonplace book begun when Ward was bishop of Exeter and continued and added to from year to year. It is almost entirely in the bishop's handwriting, and occasionally a few words are entered in a cipher to which I have not been fortunate enough to acquire a key. Such notes, for instance, are appended to the names of contemporary prelates and of many of the clergy of the diocese. Of this volume a transcript, entitled *Notitiæ Episcopi Sarum*,* was made at the expense of bishop Thomas Burgess and presented by him to the Dean and Chapter. It is at present kept in the Registry and is a fine specimen of trained calligraphy. The original book is numbered by folios in three parts. The principal contents are :—

(Part i.)—Astronomical and chronological tables and rules, tables of regnal years, lists of Anglo-Saxon kings, days for sheriffs, &c., to account at the exchequer, geographical lists, Irish bishops in 1663 and 1667, Scottish bishops in 1663, list of parliamentary abbots, list of English bishops with statistics,† notes concerning jurisdiction, visitations, ordinations, archdeacons' acts.

(Part ii.)—The history of the see and bishops of Salisbury, with extracts from and references to Registers, &c.; the church and its prebends, and the benefices in the diocese, with their occupants and values; the bishop's patronage and revenue, &c.; tables of interest and memoranda concerning leases.

(Part iii.)—Statistics of the parishes in the diocese; notes on the order of the garter, with a list of knights (1669, with additions to 1683) and poor knights; accounts; tables of fees; recipes for various ailments; list of prorogations and adjournments of parliament from 18 May 1661 to 28 March 1681/2.

* It will be observed that this plural is a misreading of Bishop Ward's own title to the book.

† Seth Ward is here bishop of Exeter. F. 52 refers to his second visitation in 1665. On f. 67 is a memorandum, *Seth Ward came first to Sarum to abide there May 20, 1668, having till that time been hindered by the Session of the Parliament.*

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The following articles may be noticed :—

Part i. (f. 62).—Answer of the judges to his majesties privy counsel concerning conventicles. Jul. 1669.

Part ii. (f. 42).—Castrum de Shirborne historiola.

Part iii. (ff. 1-40).—An elaborate series of tables of the benefices in the diocese, their patronage, incumbents (during Bishop Ward's episcopate), and value ; with particulars of the results of visitations and other remarks, *e.g.* :

f. 24.—Clack, anciently a Market Towne, now a poore Village in Parish Lineham.

f. 26 b.—The Bishop and Chancellor of Diocese are Justices of Peace at Reading by their Charter.

Followed by a list of curates, and indexes of places and persons ; commissioners for charitable uses (1671), Wiltshire gentry, justices of peace for Wiltshire (1667, 1670), members of parliament (1664-5), justices for Berkshire (1667), 'members of the parliament viz. H. Commons' (1664-5) for Berkshire ; justices '1670 left out of commission . . .', 'never in . . .', 'fit to be justices' ; lecturers and preachers.

f. 72.—Memorandum that on Thursday, Oct. 10 1672 *all persons imprisoned for things committed before 31 July last, upon the Writ, de Excommunicato cap., at Sarum (being 13) were delivered out of Prison by His Majesty's Writ of Pardon, under the Great Seal of England, dated* *

f. 117.—Petition by bishop Ward for the restoration to the see of the chancellorship of the order of the garter, 10 Nov. 1669 ; with the record of the chapter of the order, 19 Nov., confirming the petition, a list of chancellors, and (f. 120) *An Account of the Chancellorship of the Order of the Garter from Edw. 4 till 1669.*

f. 131.—Directions for the Bishops in case they shall be assessed towards the raising of Horse and Armes otherwise than in Act for settling Militia. Oxford, 25 Oct. 1665.

f. 154.—Among recipes the following may be given as a curiosity :
Unguentum Podagricum.

R an old fat Cat, and flea it. draw forth the Gutts, then with a rolling Pin beat it wel, and so putt it all together into the Belly of a fat Gander with Pepper $\frac{1}{2}$ lb. Mustard and Parsley Seeds ziii . six penny weight of Bole Armoniac, a good quantity of Wormwood, Rue and Garlick. Rost the Gander wel, saveing the greas. with it anoint the grieved part.

f. 155.—Diary, 15 Oct. 1679—19 Aug. 1684, chiefly relating to the writer's health. When bishop Ward went to Oxford on 18 March 1680/1, to attend parliament, he stayed at Wadham College. 'Mar. 31 I gave 100*l.* to Wadh. Coll.'

His Majesties Proposeals to the Commissioners for the Union of England and Scotland. 17 Sept. 1670. 'Nov. This Treaty adjourned till March.'

* The date is omitted.

Memorandum. March 25 Friday (Lady-Day 1670) Quo ^{Bishop of} tempore the Bill against Conventicles passed the Grand Salisbury. Committee of the whole House of Lords, before the passing of the Proviso concerning the King's supremacy. The King called to me and told me he desired that Proviso might pass, for this reason, that the Bishops and all his Friends might see that he would take care of them and of the Nation in the strict execution of that Act, with which he would not dispense (*haec eadem dixit Episcopo London, Domino Fretsvile, et aliis*) he commanded me to let the Bishops understand so much, which I did, and the Proviso passed without Contradiction, His Royal Highness having declared the same things publicly in a speech in the King's presence.

¶ Mar. 28.—The Proviso was rectified in the H. C. and all dangerous passages left out.

ARTICLES OF BISHOP WARD'S PRIMARY VISITATION (Oct. 1671), with the answers; followed by transcripts of documents concerning the restoration of the chancellorship of the order of the garter to the bishop of Salisbury, 1669.

In the same deed box are the charters of James I. and Charles I., and other deeds of modern date, relating to the bishop and see of Salisbury. It also contains an assessment of an aid in the city of Salisbury, 1667.

The documents preserved in the Bishop's muniment room may be grouped in the following sections:*

1. Ordination papers, from 1662.
2. Testimonials, presentations, resignations, sequestrations and mortgages of livings; documents concerning tithe rentcharge, arranged under parishes.
3. Marriage licence bonds and affidavits, and register books for marriage licences.
4. Transcripts of parish registers, beginning at various dates between 1566 and 1712. In consequence of alterations in the extent of the diocese, the transcripts for the archdeaconry of Berkshire are not preserved here beyond 1836, and those for the archdeaconry of Dorset begin in 1837. But parishes in the bishop's peculiar jurisdiction in each case form exceptions.
5. Terriers for Berks and Wilts.
6. Visitation papers; mandates, presentments, intimations, &c.
7. Convocation papers, from 1684.
8. Consecration papers, from 1749.
9. Dispensations; meetinghouse certificates, returns of dissenters and others presented (*Quorum nomina*), from 1671; returns of papists, from 1706; certificates of surgeons, schoolmasters, &c.; rural deans' returns, and other miscellaneous papers.
10. Faculty papers.

* The particulars are taken chiefly from Mr. Malden's inventory.

Bishop of Salisbury. 11. Court papers; libels, citations, excommunications, depositions, &c.

Among the few documents that call for special notice may be mentioned—

Sundry articles of visitation of the Dean and Chapter, the vicars choral, lay singing men, and ministers of the church, from the primary visitation of bishop John [Piers] downwards. Of the primary visitation of bishop Seth [Ward], Oct. 1671, the answers of the vicars choral and lower officers are preserved.

Draught of statute by bishop Seth [Ward] regulating the payment and distribution of the money paid by the bishop and dignitaries, &c., on their installation for copes:

Cumque «abeunte in desuetudinem Caparum usu adeo frequenti) a piae memoriae decessore nostro Ioanne Iuello eiusdem ecclesiae episcopo . . . ordinatum etiam fuerit, ut summa pecuniarum pro capa solui consueta, a quolibet canonico, tempore installationis solueretur, and this payment had ceased to be made, the bishop orders that it shall be enforced.

Articles of complaint exhibited by the bishop of Sarum against Doctor Thomas Peirce dean of Sarum at the visitation of archbishop William [Sancroft] [1686].*

Subscriptions towards a project for making the river Avon navigable up to Salisbury. *Temp.* Charles II.

In a bundle marked by a rectangle intersected by diagonal lines are—A statement of the bishop's case in a suit touching the liberties of the city of New Sarum brought by him against the mayor and commonalty: seeming a counsel's brief, annotated by him. *Beginning of the sixteenth century.*

Other papers relating to jurisdiction in the city.

Memorandum concerning Bishops courts held in the city 1670.

Draught of an ordinance by bishop Henry [Cotton], in consideration of the decay and impoverishing of the city of Salisbury, declaring that—

Noe forreiner or stranger, or other no having served as an apprentice by the space of seven yeares in the said city of Sarum, or in the suburbs therof, shall at any tyme hereafter bringe, utter and sell within the said city of Sarum any wares marchandize or gooddes the sale of which or the lyke wares marchandize or gooddes is incident or belonging to the trade or mistery of any tradesman or cittizen of the said city of Sarum. 45 [Eliz.].

It remains for me to express my sincere obligation to the Lord Bishop of Salisbury for the readiness with which he kindly consented to my inspecting his collection, and to add my hearty thanks to his Lordship's Registrar, A. R. Malden, Esq., M.A., for assisting in every possible way my exploration of a field which he has made specially his own.

REGINALD L. POOLE.

* See the app. to the *First Report of the Cathedral Commissioners*, 1852, p. 416 (1854).

THE RECORDS

OF

THE BISHOP OF EXETER.

THE records of the Bishop of Exeter are preserved in three separate places : first, in a strong room in his lordship's Registry in Palace-gate ; secondly, in his muniment room, above the chapel of St. James on the south side of the choir of the cathedral church ; and thirdly, in a chamber above the north porch of the church. The first of these alone calls for detailed description here.

The long series of Bishops' REGISTERS begins with that of bishop Walter Bronscombe, which opens with the record of the death of bishop Richard [Blondy] on 26 Dec. 1267. The earlier volumes, comprising the period ended by the death of bishop Edmund Stafford in 1419, have to some extent been made accessible to students by means of the abstracts and indexes published by the rev. F. C. Hingeston-Randolph under the title of *The Episcopal Registers of the Diocese of Exeter*, in eight volumes, 1886-1906. There is however a gap caused by the absence of any Register of bishop Thomas Bitton (1292-1307). The editor did not profess to publish the Registers as they stood. The first volume, dealing with bishop Stafford (1886), contained little more than an index ; and when Mr. Hingeston-Randolph turned to the earliest volumes, he treated them on the same plan. When however he reached the time of bishops Berkeley and Grandison, he adopted a different system, printing, with certain rearrangements, the greater part of their registers continuously, and only calendaring the more formal parts. The same course was pursued in relation to the register of bishop Brantingham, of which the first volume was published in 1901, and the second in 1906. The printed texts are here referred to as *Register*, in italics, with the page of Mr. Hingeston-Randolph's edition.

On the second flyleaf of bishop Bronscombe's Register is a memorandum of the boxes and hampers containing muniments, which Nicholas Braybroke handed over to bishop T. [Brantingham] at Clist (*Register*, p. 287). Apparently he had placed another chest in the exchequer at Exeter which was believed to contain jewels, books, evidences, and muniments belonging to the see ; and this was claimed by bishop Stafford in 1401 (see his Register ii. f. cccxviii b, referred to in *Stafford Register*, p. 36). Then follow a modern and an old table of contents ; the latter containing only a

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selection; then the title *Quoddam Registrum, &c. (Register, p. viii)*. After this, before the actual register begins, a series of charters are stitched into the volume. The editor (p. 1) supposes them to be the remnants of the acts of the bishops before Bronscombe:

It is probable that their Acts were not recorded in a Book, but on separate sheets of vellum or paper, most of which have, long ago, been dispersed or lost; the few which survived being bound up, with a view to their preservation, in the First Volume of the Series. These stray documents were stitched in, here and there (a few being copied on blank spaces in the Register itself), with no attempt at arrangement, and without the slightest reference to the folio to which they were attached; there are also some which belong to a period subsequent to Bishop Bronscombe's death. All are of considerable interest, and will be found arranged in chronological order—the latter in an Appendix; the former in their proper place in order of time.

He then prints ten documents ranging in date from bishop Robert Chichester to bishop Richard Blondy. Of these the two earliest are taken from transcripts of the sixteenth or seventeenth century,* and the three documents of bishop Simon of Apulia are also derived from modern transcripts. Only one of the charters prefixed to the Register is printed by Mr. Hingeston-Randolph at the beginning of his edition, but others may possibly be incorporated in other places where they have eluded my search.

The earlier Registers are numbered in a continuous series from I.-XXII., the last of which contains the second part of the register of bishop Joseph Hall and the register of bishop Ralph Brownrigg from his consecration on 3 May 1642 to 23 June 1646, where it ends.

Vol. XVII. is of irregular composition. It begins (after a title page dated by Thomas Germyn, registrar to bishop William Alley) with the *Registrum commune* of bishop Miles [Coverdale], 10 Sept. 1551. This opens with the articles of faith. The first is headed:

De fide in Sacrosanctam Trinitatem. Unus est vivus et verus Deus. The last, forty-second,

Non omnes tandem servandi sunt.

It may be noticed that the Forty-two Articles were not agreed to by convocation until the following year. After the articles,

Sequuntur nomina eorum, qui in prædictis articulis subscriperunt. 1553. Milo Exon Episcopus, in the bishop's handwriting; but no names are added. On the back of this leaf is a series of *cauciones* imposed on admission to benefices and attested by T. Germyn, beginning 30 July 1569. This fills five pages. Then follows bishop Coverdale's *Registrum commune* itself, with the date 10 Sept. 1551 as above, running through three leaves; after which the *cauciones* are resumed. These belong to 1587,

* These transcripts were made with extreme ignorance: thus a list of witnesses includes, after the bishop's clerks, *Bald. medico, Radulpho dec. Cornubiæ, Rogero poeta, Barth. dec.* It may be worth noticing that in the Kingsteignton charter printed in *Register* p. 6, the remarkable form *Sarumensis* is due to the editor and not to his original, which is in the handwriting of W. Germyn.

1570/1, 1585, 1573, 1574, and 1587, and are attested by Thomas, Richard, and William Gernyn. After them are entered three documents of bishop Coverdale's time, and then once more *cauciones* of 1587. Finally there is the register of the restored bishop John [Veysey], 10 Sept. 1553—3 April 1554.

Reg. xviii contains the Register of bishop James Turberville, beginning Sept. 1555. On f. 54 is the commission of archbishop Matthew Parker to George Carewe archdeacon of Exeter and Robert Fisher, LL.B., as guardians of the spiritualities during the vacancy of the see, 22 Jan. 1559/60, followed chiefly by the records of institutions, interspersed with the queen's recommendation of William Alley and her licence to elect a bishop (in this order); then f. 61 *b* the records of the election; and from f. 68 *b* bishop Alley's Register of institutions. On f. 86 begins the Register of Ordinations of bishop Turberville from 13 March 1556/7, and of bishop Alley from 16 Oct. 1560, ending on f. 93 with 18 Dec. 1564. Then follow *cauciones* of 1560, 1558, 1559, 1561, 1562, and 1563.

Reg. XIX. continues bishop Alley's Register; it contains chiefly institutions, 1563–1569/70, followed by cautions.

f. 37. Register of ordinations Michaelmas, 1565–21 March 1569/70.

Reg. XX., which is that of bishop William Bradbridge and the first part of that of bishop John Woolton, no longer contains ordinations.

For this purpose there is a separate series of REGISTRA DE ORDINIBUS 1571–1878, in six volumes lettered A–F. Vol. G is still in progress.

In succession to the twenty-three volumes of Registers is a modern series of REGISTERS OF INSTITUTIONS, beginning with the Restoration.

Another series of registers is that known as the ACT BOOKS, the earliest of which lettered A1, A2, B, &c, as far as H, run from July 1568 to 1734. They are followed by other series bearing a new numeration. The contents are almost entirely licences for marriage, preaching, curacies, faculties for holding seats, erecting galleries, &c.; but in the earlier volumes miscellaneous documents are occasionally entered. Thus in Act Book A1 under 1579/80 there are the letters of Council to the bishop requiring him to make enquiry about those who exercise preaching to the neglect of their other ministrations, 17 Jan.; the bishop's consequent monition to his archdeacon, 1 Febr.; letters of Council, 23 Febr.; the bishop's answer, 16 March; &c.

A series of PATENT BOOKS, which contain also acts of the bishop, articles of visitation, &c, begins in 1628.

A volume containing subscriptions to the acts of supremacy and conformity, 25 July 1662—23 Sept. 1679.

Books of visitation of the diocese, beginning in 1622.

A book containing a series of transcripts of inquisitions *post mortem* on the death of Henry [Beauchamp], earl of Warwick, taken 14 Nov. 25 Hen. VI. [1446], preceded by notes relative to the

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family of Montague, Earl of Salisbury, and followed by other documents connected with the Warwick family. It was suggested by the late Mr. Winslow Jones, of Exeter, that the volume may have belonged to bishop George Nevill.*

In a deed box in the Registry are the following volumes :

1. *The Treasurer's Book*, a transcript of the statutes of bishop John [Veysey], dated 1 July 33 Hen. VIII. [1541]; followed by later rules, &c., concerning the duties and powers of the treasurer, and the statutes of bishop Seth [Ward], 1663, for the augmentation of the stipend of the prebendaries. In an eighteenth-century hand, beginning on p. 97, is a collection of statutes and ordinances from bishop William Warlewast to bishop John Wolton.

2. A small quarto book of precedents, drawn up under bishops William Cotton and Valentine Cary. The date 1634 appears on one page; 1639 on another; also the name of bishop Ralph Brownrigg, (2 Jan. 1642/3, a consecr. 1). It is followed by documents of bishop Jonathan [Trelawney], 1692, &c., and of dean Lancelot Blackburn. Then come lists of benefices in the diocese in the king's gift, and in the bishop's gift; and miscellaneous forms and extracts, and a few notes of births, journeys, &c. At the end are forms of documents from 1698 to 1731.

3. *Formulare ecclesiasticum penes registrum principale episcopi Exon.*, a folio book of precedents drawn up as it seems during bishop John Gauden's tenure of the see.

4. Collection of charters relative to St. Nicholas' priory, Exeter. Ff. 32. Seventeenth century.

5. An interleaved copy of the appendix to some History of Exeter, with notes in the handwritings of Pitman Jones and Ralph Barnes. Nineteenth century.

6. Two printed tracts, (a.) *Constitutio Pii PP. V. ne in popularibus concionibus disputetur de conceptione gloriosæ Dei genetricis Mariæ* (Louvain 1572), (b.) *Pii secundi Bulla retractationum omnium* (Louvain 1563): followed by an anonymous treatise in manuscript on the authority of councils, the Papal power, &c., extending to 86 pages, c. 1600?

Among the documents contained in the deed box the following inventories may be mentioned :

1. *A note of Leases Counterpartes and other Deedes remayninge in the Register of the Lord Bishop of Exeter*, in which bound volumes are included. Written soon after 1640.

2. *Dr. Stuart's List of Muniments of the Bishoprick of Exon. delivered by Mr. Webber from Mrs. Blackall*† c. 1717. This list does not include the Registers.

3. *Catalogue of Books in the Principal Registry*, made in 1833, with some additions in pencil.

A series of letters and memoranda records the history of the

* Notes and Queries, 15 Oct. 1889.

† Bishop Blackall died 29 Nov. 1716 (Le Neve's *Fasti*, ed. Hardy, i. 381). Francis Webber was prebendary from 1709-1737 (*ibid.*, pp. 426, 428).

removal of the Anglo-Saxon and other documents from the Registry. Bishop of Exeter for the purpose of exhibition in the Albert Museum in that city eighteen documents, namely thirteen Anglo-Saxon charters, a charter of Stephen, a charter of John count of Mortain concerning forest rights in Devon, a charter of Henry II. to St. Martin in France to which the priory of St. James in Exeter was appropriated, a charter of King Henry [*sic*] concerning fugitives, and a charter of Edward I., a. 10. The thirteen Anglo-Saxon charters were afterwards sent to the Ordnance Survey Office, and their [receipt acknowledged by Mr. W. Basevi Sanders, 8 July 1878. Their return was acknowledged by Mr. Arthur Burch, 14 August 1880. On 22 Oct. 1886 a memorandum of agreement was drawn up by which the whole eighteen documents were handed over to the Dean and Chapter *to be deposited by them in their chapter house*, without prejudice to the rights of the Bishop or of the Dean and Chapter. Whereon the rights of the latter were founded is not stated; nor is there any memorandum authorising the removal of the documents from the Chapter House to their present position in the Cathedral Library.*

Of other documents the following call for notice :

Solemn privilege of Eugenius III. to the canons of Exeter, taking the church of St. Peter, Exeter, under his protection and confirming it in all its possessions. With full subscriptions. Lateran : 2 Id. Mart., Indict. i., 1152, a. pontif. 9 [14 March 1153]. *Bull* on silk strings. (Not in Jaffé's *Regesta Pontificum Romanorum*, ed. Wattenbach.)

Ordinance of Hugh, bishop of Lincoln, with the assent of Roger dean and the chapter of Lincoln, touching the church of Bentona [Bampton-in-the-Bush, co. Oxon.]†

Concessimus capitulo Exon totam illam portionem in propriis usus habendam nomine perpetui beneficii quam ab antiquo quandoque in propriis usibus consuevit idem capitulum retinere et quandoque aliis conferre pro sua uoluntate ; uerum de portione quam Robertus de Lucy tenuit et alia portione quam Iohannes filius Iohannis quondam archidiaconi Totoñ tenet in eadem ecclesia, ita ordinauimus quod ille qui uicarius est illius portionis quam Robertus de Lucy tenuit centum solidos annuos quam diu uixerit nomine uicarii capitulo Exon persoluet de eadem portione, Iohannes uero memoratus tres marcas annuas eidem capitulo similiter tota uita sua persoluet de sua portione quas prius reddere consuevit,

with other regulations for the provision of three perpetual vicarages in the said church *Copy* of the end of the thirteenth century, with a strip for one seal (although the text specifies three seals) not preserved.

* They are noticed below, pp. 26 seq., among the muniments of the Dean and Chapter, since some of them have been incorporated in that collection.

† If the bishop is St. Hugh this document belongs to 1195-1200; if, as is more probable, to bishop Hugh Wells, then to 1209-1223.

Bishop of
Exeter.

Composition between the bishop of Exeter and his chapter, and the bishop of Chichester and his chapter, touching the subjection of the church or chapelry of Boseham [Sussex], which is agreed to be subject to the bishop of Chichester *lege diocesana*, excepting the canons of the same; as to whom it is agreed that the bishop of Exeter shall collate the prebends and instal the canons, without the consent of the bishop of Chichester being required, and the canons shall not profess obedience to the church or bishop of Chichester, but shall nevertheless attend his synod. Discipline shall only be exercised over the canons of Boseham on failure of the bishop of Exeter to exercise it. The number of the canons is to be six. With the seal of E[ustace] bishop of Ely, lost. [1198-1206].*

Confirmation by Ottobonus, cardinal deacon and legate of the apostolic see, of the ordinance of bishop Walter [Bronscombe] concerning canons and their residence, vicars, &c. (28 April 1268.) Canterbury: 10 July, 4 Clement IV. [1268].

Inspeximus by Henry III. of royal charters to the church of Exeter. 8 May a. 55 [1271]. *Great seal* imperfect. Printed in Dugdale's *Monasticon*, ii. 535.

Appropriation by bishop Peter [Quinel]† of the church of Wydecombe to the dean and chapter. 3 Febr. 1283/4, a. consecr. 4.

Indult of forty days granted by Ranucius archbishop of Cagliari, Basil archbishop of Jerusalem,‡ and Adenulph archbishop of Conza; Manfred bishop of S. Marco,§ Rambottus¶ bishop of Camerino, James bishop of Calcedonia,¶ Nicholas bishop of Nicaastro, and James bishop of Tortiboli,** to all who shall hear mass or bishop Thomas [Bitton]'s preaching of the word of God, or make due confession to him of their offences, or who shall say the Lord's prayer and the Angel's salutation for the said bishop and his kinsfolk and for all faithful souls. Rome, 1300.

A packet of deeds relating to the church of Cornwood, and ranging from the time of Edward II. to the fifteenth century. Among them is a grant by archbishop William Courtenay (4 Sept., 19 Richard II. [1395], with the *seal* well preserved.

Ordinance of bishop Walter [Stapeldon] concerning the prebends in the church of Boseham. 14 Jan. 1311/12. (Not in *Register of Bishop Stapeldon*.)

Appropriation by bishop Walter of the church of Egloshayl

* A copy of this document in a volume in the collection of the bishop of Chichester has been erroneously assigned to the years 1198-1214, in forgetfulness of the fact that there was a vacancy in the see of Exeter, after the death of bishop Henry Marshall in 1206 until the appointment of bishop Simon of Apulia in 1214: Hist. MSS. Comm., *Report of Manuscripts in Various Collections*, i. 185 (1901).

† Mr. Hingeston-Randolph says that the surname of this bishop, in the only two places where it occurs, is written *Quivel* (*Bronscombe's Register*, p. xix. n. 1 and p. 175 n. 9); but the spelling in the Register (f. xxv.) is unmistakably *Quinel*.

‡ This prelate is not named in K. Eubel's *Hierarchia catholica*, i. 286.

§ In Gams' *Series Episcoporum*, p. 892, bishop Manfred is said to have ceded on 2 June, 1291: at that date he administered the see of Bisaccia, but returned afterwards to S. Marco (see Eubel, i. 139, 340).

¶ Ramboto Vicomanni: Eubel, i. 166.

¶ No bishop of Chalcedon of this date is mentioned by Eubel.

** Not in Eubel.

[Cornwall] to the office of penitentiary of the church of Exeter, Bishop of Exeter, then held by Mr. John of Uppavene. 23 July 1313. Of these deeds there are two copies, on one of which the *seals* are partially preserved. (Not in *Register*.)

Inspeximus by Edward II.* of grants of lands and tenements at Dover to bishop Walter Stapeldon. 13 April, a. 13 [1320]. By the King. *Great seal* imperfect.

Charter of Edward II. granting to bishop Walter his lands and fees pertaining to the church and chapelry of Boseham. 28 Oct., a. 14 [1320].

Charter of Edward II. granting to bishop Walter Stapeldon, his treasurer, the pleas of hue and cry levied on the lands pertaining to his see in Cornwall in which the said bishop has view of frankpledge. 12 Nov., a. 14 [1320]. By writ of privy seal. *Great seal* imperfect.

Draught of the pronunciation of an award by Mr. Adam Murymuth, the bishop's official, sitting in *claustrum ecclesie cathedralis . . . pro tribunali*. 15 Sept., a. 13 *pontificatus predicti* [1321?].

Foundation by bishop Walter of the obit of his late brother Robert in the church of Exeter. Monday after St. Matthias 1321 [1 March 1322]. (Not in the *Register of Bishop Stapeldon*.)

Confirmation by John XXII. of bishop John [Grandison]'s petition for the appropriation of the church of St. Marina [St. Merry, in Cornwall] to the church of Exeter. Avignon: 17 Dec., a. 16 [1331]. *Bull* tied with hemp. (See *Calendar of Papal Registers*, Papal Letters, ii. 368).

Appropriation by bishop John [Grandison] to the abbat and convent of Lilleshull, dio. Coventry and Lichfield, of the church of Northmolton. 1337. Printed in *Register of Bishop Grandisson*, pp. 842 seqq.

Appropriation by bishop John to the cathedral church of Exeter of the church of St. Marina. 25 May 1338. With the notarial attestations. Printed in *Register*, pp. 873–876, where the notarial certificates are in reversed order.

Confirmation by bishop John of the ordinance of bishop Walter [Bronscombe], as ratified by cardinal Ottobonus. 28 Nov. 1358, a. 32. At the foot is written:

Confirma hoc deus quod operatus es in nobis .∴ manu nostra .I. de .G. Exon presbiteri .;

(Not in *Register*.)

Appointment by Urban V. of John Cheyney, clerk, as notary public. Avignon: 25 April, a. 3 [1365]. *Bull* on silk strings. (Not in *Calendar of Papal Registers*.)

Letters close of Edward III. committing to bishop [Thomas Brantingham] the exercise of jurisdiction in the royal free chapel of Boseham. 13 June, a. 47 [1373].

Mandate of Urban [VI.] to the prior of St. Nicholas, Exeter, to enquire into the possessions of the church of St. Mary Major in that

* This and the two following documents are not mentioned by Mr. F. J. Baigent, who says of others which he gives, *These were the only Charters granted to Bishop Stapeldon, by the Crown, during his Episcopate* (cited in *Register*, p. 374).

Bishop of Exeter. city. Rome, at St. Mary beyond the Tiber: 4 Id. Dec., a. 1 [10 Dec. 1378]. *Bull* lost.

Inspeximus by Richard II. of the licence granted by Henry III. (8 Jan., a. 43 [1258/9]) to bishop Walter [Broncombe] to hold a market weekly and a fair for three days, 6-8 July, at his manor of Penryn in Cornwall. 20 Jan., a. 3 [1379-80]. *Great seal* imperfect.

Letters patent of Richard II. excusing bishop Thomas Brantingham from attending his parliaments and councils, in consideration of his long service and great age. 26 Aug., a. 13 [1389]. By writ of privy seal.

A roll of five skins containing a copy of the parliamentary roll of 21 Richard II. The actual roll of the proceedings of parliament in September 1397 was, as has been shown by Professor James Tait,* combined with that of the parliament of the king's eleventh year, in order to suppress the dates given in the answer of William Rickhill and in the confession of Thomas duke of Gloucester; and another roll omitting those dates was made up to serve for the twenty-first year. The present copy is one of this 'revised' text. Possibly it passed into the Registry through bishop Edmund Stafford, who was chancellor at the time. The roll is endorsed in the handwriting of Mr. Ralph Barnes *A Public Instrument*.

Commission by Martin [V.] to the abbat of Tavistock to enquire into the grievances of the vicars of the church. Florence: 3 Id. Oct., a. 2 [13 Oct. 1419]. *Copy*.

Licence from bishop Hugh [Oldham] to John Lewys, prior of St. Nicholas, and his successors, to use *illo habitu amisie de grey quo temporibus diuinorum in nostris ecclesiis cathedralibus et collegiatis utuntur canonici*. 4 Aug. 1505. With the ratification of the dean and chapter, 10 May 1508.

Ordinance by bishop Hugh requiring that every canon on beginning residence shall, in lieu of the accustomed entertainments, pay 40*l.* into the treasury, to be applied to defending pleas and other common burthens of the same and to no other purpose. 6 Febr. 1506/7, a. consecr. 3. To this is attached an inspeximus by bishop John [Veysey] varying it by the provision that 10*l.* of each 40*l.* shall be divided among the vicars and other ministers of the church. 27 May 1525.

Account of Mr. Thomas Sothorn, clerk, receiver-general of the bishoprick of Exeter, of receipts, expenses, and profits of temporalities. Michaelmas, 17-18 Henry VIII. [1526-7].

Extracts from the Registers of the dean and chapter, from the volumes beginning 3 Jan. 1559/60 and 1612. (One page only.)

Articles of visitation of the cathedral church. *Temp. Eliz.*, with additions of 1571 and 1597.

Transcripts and extracts of the statutes of the church.

Statements of cases and legal opinions of the seventeenth and eighteenth centuries.

Various papers concerning property in the bishop's fee. Seventeenth to eighteenth century.

* Owens College, Manchester, *Historical Essays* (1902), pp. 204, seqq.

Compositions between the bishop, the dean, the dean and chapter, the archdeacons, and the vicars choral, concerning the jurisdiction of each. 1616. *Two copies.* Bishop of Exeter.

Answers of the dean and chapter at the visitation of bishop [Joseph Hall], 1628. Dilapidated.

One answer is *That they have no copes, but all other necessities for the service of the said church.*

Contributions to the clergy of the diocese of Exon. to the repaying of St. Pauls signed by them in Sept. & Octob. Anno 1634.

Survey of the bishop's palace at Exeter. 22 March 1646/7. *Two copies.*

The following documents are all sewed together :

(1) *Articles for the visiting of the Deane and chapter, Feb. 18 166½, with the presentments of the Deane and Canons, Prebends, Vicars Chorall (lay, priest), Mr. John Bury [a prebendary who made a separate presentment]; Orders sent to the Deane and chapter March 2 166½; Orders and declarations concerning the Vicars Chorall; . . .*

(2) *Articles, presentments, orders in the triennial visitation of Seth Exon, of the Deane and Chapter and Vicars Chorall, Jan. 18. 1665/6. Inserted before these last are four leaves containing Articles and Interrogatories of the visitation of bishop William [Cotton] [1598-1602].*

(3) Then follow the *Answeres and presentments of the Deane and Canons Residentiary.* Jan. 1665/6. From these the following extracts may be given :

1. We present a defect in one bell which is to be new cast, and some other small defects in the church which are shortly to be amended.
2. The want of Cornetts or Shackbutts for which we have given order. . . .
5. Much noyse in the Church during the time of Sermon in the afternoon on the Lord's day. . . .
12. The books given* by the Treasurer are not yett brought into the Library [Signed by] George Cary [dean] and Edward Cotton [prebendary].

A separate set of presentments are signed by Thomas Long and Arthur Bury [prebendaries].

(4) *Articles of enquiry exhibited to the Archdeacons.* 1665. With the returns of the archdeacons of Exeter & Cornwall, the official of Barum,† and the archdeacon of Tottnes.

Return of the names of the Chapter summoned to the visitation of bishop Thomas [Lamplugh], 8 Sept. 1679. With the dean's mandate for their appearance, 21 Aug. 1679.

The Case of the Borough of Saltash, recounting charges of arbitrary conduct brought against Nicholas Tyacke 'a non-conformist preist,' who had become alderman and mayor of the borough, with propositions for redress of his usurpations, injuries, and wrongs; particularly as to Sir John Carew. After Sept. 1680.

*That is, *handed over*, as appears from the answers made by the Dean and Chapter in February, 1662/3.

† *Barum* is the local abbreviation of Barnstaple, due to a misreading of *Barū* influenced by the false analogy of *Sarum*.

Bishop of
Exeter.

Presentments at the court of the bishop's fee of St. Stephen, Exeter. 1682.

Judgment of bishop Lancelot [Blackburn] in an appeal from certain fellows of Exeter College, Oxford. 23 June 1721.

Papers concerning the parochial library at Slapton, with a catalogue. 1727.

An account of Trinity chapel at Honiton in South Molton re-edified by Lewis Southcomb of Rose Clist, clerk, 1730, to which the writer has added a petition to bishop Stephen Weston to license it.

The Bishop's muniment room contains a mass of documents sorted and tied in bundles. In shelves against the end wall are presentations, tied in bundles, bearing the number of the year in which they were made. They appear to begin in the sixteenth century, but the earliest bundles are stored in top shelves beyond the range of the ladder kept in the room. In other shelf stacks are transcripts of parish registers, petitions for non-residence, deeds of exchange, sequestrations, letters testimonial, ordinations, and marriage-affidavits. There are also four volumes of Acts of the Consistorial Court, Tuesday 8 Jan. 1683/4-1777. Other volumes of Acts of the Court are preserved in a very neglected condition in a chamber over the north porch of the cathedral (reputed to be the muniment room of the archdeacon of Barnstaple); these stand greatly in need of attention. In the same chamber are also numerous leases belonging to the Dean and Chapter, but there are no signs or labels to distinguish their ownership.

I have the pleasure, in conclusion, of expressing my grateful acknowledgments to the Lord Bishop of Exeter for his willingness that I should examine his collections of records and for much kindness during my visit to Exeter. My thanks are also due to the late Mr. Arthur Burch, his Lordship's Registrar, and to Mr. H. Bowers, Clerk in the Registry, whose practical knowledge of the records has helped me in many ways.

REGINALD L. POOLE.

MUNIMENTS AND LIBRARY

OF

THE DEAN AND CHAPTER OF EXETER.

THE muniments of the Dean and Chapter of Exeter are preserved in two repositories. The great bulk of the charters and single documents are stored in the Exchequer Chamber above the chapel of St. Andrew on the north side of the choir of the Cathedral Church. The remainder, chiefly the fabric rolls, are kept with the bound volumes of Acts, &c., in the Muniment Tower over the new cloister. A few of the books and charters are exhibited in the Cathedral Library. The collection at Exeter has one peculiar feature, that all manuscripts (including service books and the famous 'Liber Exoniensis') are deemed to belong not to the Library but to the Muniments; and all are massed together in a uniform series of 6075 numbers. In this however the use of numbers is purely conventional. A single number may indicate one charter or letter, a book, or an entire drawer full of documents. Nor does the number of 6075 in any sense give a correct total; for there are (as was no doubt inevitable) a good many duplicate numbers, marked *a.* and *b.*, while on the other hand the author of the numeration thought fit to leave an arbitrary number of gaps free at intervals for accruing documents or volumes. These blanks amount according to my calculation to no fewer than 747. It is obvious that instead of being merged in this medley of heterogeneous and incommensurate elements, the documents should have been divided into classes and subclasses so as to avoid the necessity of inventing capricious gaps. Now, however, that the work of arrangement, except for some limited and unimportant sections which are not completely sorted, has gone from end to end of the collection, it would be undesirable to disturb it. It may, indeed be permitted to express a hope that the forty-nine manuscript volumes which are in no sense muniments (No. 3500-3548) may be separated from the collection and reckoned to belong to the Cathedral Library, in which some of them are, and all of them might well be, placed. But in other respects the classification which its author, Mr. Stuart A. Moore, F.S.A., in 1873 commended for its simplicity, will have to stand. It would be ungrateful not to admit that the Exeter chapter muniments are fortunate in possessing any marks of identification at all. In many other collections attempts have been made to arrange and number the documents, but in most cases the attempt has broken down; and

the result has been that an earlier system has been destroyed and but partially replaced. It is quite exceptionally that one finds any signs or figures indicating a modern re-classification marked on the documents. The advantage of such numeration to anyone who wishes to find a particular deed is obvious ; and Exeter shares with Lichfield the benefit of a nearly complete Calendar of the muniments, though here the Calendar is not, as at Lichfield, printed. The Calendar is, on the whole, to be trusted. I have noticed not many serious examples of mis-description. I would only caution those who may have occasion to use it that the dating in it of undated documents is highly hazardous and often involves an error of more than half a century in either direction. But in spite of any such drawbacks I would repeat that the advantage of having every document docketed (and the only exceptions here are the contents of some drawers of modern papers) is inestimable, no matter how bad, on the score of method, the classification may be. The Catalogue is furnished with a useful index.

Before entering upon the description of the collection I bring together a few notices of lists and inventories of the possessions, muniments and other manuscripts, reliques, and commemorations of the church. I then proceed to explain in PART I. the system of arrangement and to notice such of the books as are of historical interest ; and in PART II. to give an account of the charters, letters, &c. (including those bound up in the volumes numbered 3498 and 3499), which come within the sphere of this report, in a single chronological series.

2570.—An English version of bishop Leofric's gifts to the church, beginning :

Here hyt schawyt yn thys wrytyng' what leofryk busschop hath y do vnto synt Petyrys mynyster of Exeter thar hys busschoprych ys that ys that he hath y ynnyd that befor he ontyd was thurf godys hylfe and thurf hys forspekyng', &c., as in the Anglo-Saxon text in *Dugdale's Monasticon* ii. 527 (ed. 1819). *Fifteenth century.*

2861.—Roll of Exeter reliques, shorter than that printed in *Dugdale's Monasticon* ii. 529-531, with a few omissions and additions of later acquisitions :

Hec sunt nomina sanctarum reliquiarum que habentur in ecclesia sancte Marie et sancti Petri Exon quarum maximam partem gloriosissimus rex Ædelstanus eiusdem ecclesie primus fundator ibidem contulit.

The latest in date is :

De capite et sanguine sancti Thome martiris et pars magna cilicii ipsius et maxima pars camisie intincta sanguine ipsius.

Written in one hand c. 1200.

3671.—A volume containing an inventory of books, vestments, and ornaments in the church, 1327. Printed by George Oliver, *Lives of the Bishops of Exeter*, pp. 301-319, Exeter, 1861, without indication of the source from which it is published.

3720. A fragment of what appears to be the same inventory as

the preceding, but more finely written. It has been used apparently as a bookbinding, but is now repaired and mounted. Fourteenth century. Dean and Chapter of Exeter.

4614.—Fragment of an inventory of muniments. Fourteenth century. Much decayed.

571.—Schedule of muniments :

Omnes iste carte et munimenta ponuntur in pixid[ibus] qui intitulantur extra in capite sic *Carte diuersorum in Civitate Exonie facte Decano et Capitulo Exonie cum diuersis asisis captis ibidem que fuerunt in magno rotundo ligneo* pixide antico.*

Fifteenth century.

2864.—A form of bidding bedes in the church of Exeter, written c. 1460 and revised down to 1478 and later. The name of *Thomas Selyngh, a brother of this place*, has been twice added.

2860.—Inventory of church goods. c. 1500. It agrees to a large extent with the far more complete inventory of 1506 printed by Oliver, *Lives of the Bishops of Exeter*, pp. 320–376.

2862.—Catalogue of muniments: *Tabula diuersorum Munimentorum in Scaccario Ecclesie Cathedralis Exon., videlicet de diuersis pixidibus, hampers, skebettis, et aliis locis, ut hic patet sequenter* [c. 1500].

4679–4682.—Inventories of plate, &c., from 1668 onwards. See below, p. 42.

4605.—Catalogue of muniments by chapter clerk [Nicholas Webber] [c. 1700].

4606.—A Catalogue of the MSS. in Exon Library remaining anno 1751 endorsed *Catalogue of the MSS. and other Books in the Press at the East End of the Library by Dean Lyttelton in 1752. Numbered by White in* †. *Examined with the Books and all found in the said Press. 1811. R. Barnes.* [Then in a later hand] *On the Library being removed to the Chapter House these MSS Books were placed in the Exchequer Room.*

PART I.

The scheme of the classification of the muniments and manuscripts is as follows :

No. 1–580.—Deeds relating to property, &c., in Exeter.

No. 600–2066.—Deeds relating to property, &c., in other places, arranged alphabetically under the places to which they relate. Almost all the places to which no county is appended in the sub-joined list of heads are in Devon.

Alleford, Altonon (Cornwall), Alvington, Ashburton, Aylsbeare, Bampton (Oxon.), Bere Ferris, Bickeleigh, Bideford, Bishbury (Staffordshire), Bokerel, Bole Aller, Branscombe, Bratton, Branton, Brent, Broad Hembury, Budleigh, Cargol, Chudleigh, Clifton, Clist Gabriel, Clyve (Somerset), Colbroke, Colyton, Combe Pasford (in St. Mary Church), Crediton, Croke, Culmstock, Dartington, Dawlish, East Coker, Edrichesdune, Eglosheale (Cornwall), Ellerky, Exmouth, Fennewood, Glaseney (Cornwall), Hacombe, Halsford,

* MS. *ligno*.

† The year is not supplied.

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Harberton, Hartland, Heighes, Hennock (Cornwall), Holerigge, Hongestinges, Huntesham, Ide, Ipplepen, Lanchinock, Langdon, Langford Fivehead, Launceston (Cornwall), Lendewennoc (Cornwall), Littleham, Lyme (Dorset), Melhuish, Menheniot (Cornwall), Morchard Episcopi, Morewinstow (Cornwall), Mortho, Newton St. Cyres, Newton Poppleford, North Molton, Norton, Oakhampton, Pederton, Peignton, Pilton, Plymouth, Plympton, Polslo, Rochester (Kent), St. Breaze (Cornwall), St. Carantoc (Cornwall), St. Constantine (Cornwall), St. Crewenne (Cornwall), St. Ercy (Cornwall), St. Gerend (Cornwall), St. Is.y (or Egloscruc, Cornwall), St. Mary Church, St. Melan (Cornwall), St. Meryn (Cornwall), St. Pieran (Cornwall), St. Probus (Cornwall), St. Uvel (Cornwall), St. Wennep (Cornwall), St. Wynneer (Cornwall), St. Wynnoc (Cornwall), Saltash (Cornwall), Saltcombe, Sancreed (Cornwall), Shillingford, Shillingham and Frehan, Shipton, Sidbury, Staverton, Stoke Canon, Stokenham, Sutton, Swynbridge, Tamerton Foliot, Tawton Episcopi, Teignmouth, Teignton, Teignton Regis, Thorverton, Topsham, Totnes, Treworthic (Cornwall), Ugborough, Up Ottery, Upper Exe, Warleigh, West Ansty, Westdowne, Westleigh, Weston Peverell, Widdicomb, Winkleigh, Winterborne Wast, Witheridge, Yarnscombe.

No. 2070-2513, distinguished as MISCELLANEOUS DEEDS and comprising, according to the Catalogue, 'Saxon charters, royal grants, licences of mortmain, statutes of the bishops, agreements, appropriations, wills, and all loose documents in the nature of deeds which could not be classified under any particular head or place.'

Of the sixteen Anglo-Saxon diplomas in the collection of the Dean and Chapter (including one of William the Conqueror, and one record of boundaries), which are reproduced in the Facsimiles of Anglo-Saxon Manuscripts, issued by the Ordnance Survey Office, at Southampton, part ii. (1881), only three are noticed in the Catalogue :

2070.—Foundation by King Ethelred for bishop Ealdred of the bishopric of Cornwall. 994. [Facsimile VIII.]

2071.—Diploma of King Cnut for the monastery and cathedral church of St. German. 1018. [Facsimile X.]

2072.—Foundation by king Edward the Confessor and Eadgyd his wife of the see of Exeter. 1050. [Facsimile XIII.]*

The omission of the other thirteen is explained by the fact that at the time when the Catalogue was made they were deposited in the Albert Museum at Exeter.† They are all now exhibited in the Cathedral Library, but no number or mark of identification is found on any of them, even on the three which are numbered in the Catalogue. As the whole series has been published in facsimile

* It may be added that No. 1705 contains a transcript of Athelstan's diploma concerning Hrocastoc, shown in Facsimile I. It is subjoined to a diploma of the same date concerning a manse at Stoke, with boundaries in Anglo-Saxon. Both are in a handwriting of the fourteenth century. The blundered date they bear (670 for 938) has been discussed by Hickes, Kemble, and Earle.

† See the 40th Report of the Deputy Keeper of the Public Records, p. 546, 1879 ; and above, pp. 16 seq. For the same reason the charter of Stephen, noticed below, p. 43, is not mentioned in the catalogue.

with introductory notices, transcripts, and translations it is unnecessary to describe these diplomas here.*

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No. 2570-2586.—Supplement to the preceding division. Among these No. 2582 contains three leaves of an early thirteenth-century customal, possibly of Sidbury, which have been used for a book-binding.

No. 2600-2982.—Rolls, among which may be mentioned :

No. 2600-2704.—Fabric rolls, some of them imperfect or fragmentary, but forming a remarkably continuous series from 1279 to 1514. They are described by Oliver, *Lives of the Bishops of Exeter*, pp. 183-189, with extracts, pp. 379-391. The roll of Michaelmas 1299-1300 is printed in full, pp. 392-407.

No. 2705-2776.—*Rotuli Debitorum*, or bailiffs' accounts, 1332-1519.

No. 2777-2844.—*Rotuli Compotorum Seneschallorum Scaccarii*, or accounts of the stewards of the Dean and Chapter, 1296-1525.

No. 2849-2857.—Rolls of visitations of churches and manors belonging to the Dean and Chapter, 1313-1381.

No. 3000-3215.—*Congès d'élire* and documents of a similar nature.

No. 3498, 3499.—Two albums containing miscellaneous letters and documents, ranging from the fourteenth century onwards. These seem to have been selected on the ground that most of them bear the autograph signatures of persons of importance, as of sovereigns, bishops, and dignitaries. Among others may be named John lord Scrope, chamberlain to the queen [Elizabeth consort of Edward IV.]; [Alice] duchesse of Suffolke [wife of William de la Pole]; [Henry] duke of Exeter; Thomas earle of Devonshyre; lord Hastynges; Thomas Crumwell; Edward duke of Somerset; Thomas Seymour; J. Russell, lord privy seal; William earl of Essex; J. Stanhope [afterwards first baron Stanhope]; [James first earl of] Marleburgh; [sir] Francis Windebanke; [sir] Edward Nicholas; William Morice [secretary of state to Charles II.]; W. Juxon, archbishop of Canterbury; [Henry] lord Arlington; Henry Coventry [secretary of state]; [sir] J[oseph] Williamson; [sir] Edward Walker; [Daniel] earl of Nottingham; Robert Harley [afterwards earl of Oxford]; [Charles] earl of Sunderland. The documents have been mounted and bound together recently, and are numbered continuously through the two volumes. Since however the contents have no organic unity, such of them as call for notice may be best distributed among the separate documents in part ii. of this report and described in their chronological sequence.

No. 3500-3548.—Manuscript volumes representing the old Cathedral Library, with the addition of some service books and one volume (the Exon Domesday) which probably was originally

* The diploma represented in Facsimile IV. is not in Kemble's *Codex diplomaticus Aevi Saxonici*, but will be found in Birch's *Cartularium Saxonicum*, No. 1103.

deposited among the muniments. An inventory of books in 1327, printed by Oliver, Lives of the Bishops of Exeter, pp. 301-320, shows that they, together with the service books and vestments, were then in the custody of the treasurer of the church. In the fifteenth century the library was stored in a chamber over the south ambulatory of the cloister; but according to an inventory of 1506, printed by Oliver, pp. 321-378, some of the books were kept in the church, others in the two exchequers, but the mass of them, amounting to more than 350, were in the *libraria* and are enumerated by *descei*.* In 1602 the Dean and Chapter presented 81 Latin manuscripts to the library of the university of Oxford, then founded anew by sir Thomas Bodley.† Under the Commonwealth the cloister was demolished and the library seems to have been removed to St. John's hospital. At a later date it was placed in the Lady chapel of the cathedral; afterwards the printed books were transferred to the chapter house, and the manuscripts to the exchequer chamber; finally the whole collection was deposited in a library built over the east and south ambulatories of the recently constructed cloister. In Edward Bernard's *Catalogi Librorum manuscriptorum Angliæ et Hiberniæ* (Oxford 1697), ii., 55 seq., the titles are given of forty-six volumes only: dean Lyttelton in 1752 counted but twenty remaining out of the 350 mentioned in the inventory of 1506; but this inventory no doubt included also printed books. The increase to the present number is due partly to the incorporation of books which formerly were kept among the muniments and partly to modern accessions. In the following account notice is only taken of manuscripts which in one way or another have an historical interest.

3500.‡—The Exon Domesday. Ff. 532. Printed by the Record Commission in Domesday Book, [vol. iv.], *Additamenta* (1816).

3501.—The Exeter Book of Anglo-Saxon poetry. The *Liber Exoniensis*. Ff. 130. Tenth century. Published by B. Thorpe, *Codex Exoniensis*, London 1842, and in part by I. Gollancz, London, 1895.

3502.§—*Ordinale secundum usum Exoniensis ecclesie*, prescribed for the church of Exeter by bishop John Grandison and approved by the Dean and Chapter 1337. Ff. 105.||

3504, 3505.¶—*Legenda de usu Exoniensis ecclesie secundum ordinacionem et abreuacionem Iohannis de Grandissono episcopi*. Fourteenth century.

3508.**—A Psalter, with canticles, &c., of the thirteenth century. The calendar prefixed is a Sarum calendar, probably written for the

* Since this was written an account of the history of the library has been published by Mr. J. W. Clark in the Cambridge Antiquarian Society's *Proceedings and Communications* for 3 Nov. 1902.

† W. D. Macray, *Annals of the Bodleian Library* (2nd ed., Oxford, 1890), p. 28.

‡ Apparently No. 39 in Bernard's *Catalogue*, ii. pt. i. 56.

§ No. 14 in Bernard.

|| The calendar, as I am informed by the Rev. H. M. Bannister, is almost identical with that in the Corpus Christi College, Cambridge. MS. liii.

¶ No. 28 in Bernard, when it is said to consist of three volumes.

** Perhaps No. 27 in Bernard.

church of St. Helen, Worcester, between 1228 and 1244.* Inserted in it are notes of various historical events of the fifteenth and early sixteenth centuries. Among them may be mentioned:—

Dean and
Chapter
of Exeter.

10 Jan. 1531/2. *Thomas Benet*† . . . *apud Liuerdole concrematus est.*

15 Febr. Death of Mr. Henry Webber, dean.

20 Febr. 1546/7. Coronation of King Edward VI.

15 April† 1471 Battle of Barnet.

St. Brioc 1467 *Subito uehementissimus uentus per totum regnum accidebat, per xxxiii. horas et ultra durans, campanilia pinnasque subuertens, plumbum supra sacra loca et alias deuoluendo, naves quinque ancoris firmatas et quam plurimas in alto mari lacrimabiliter onustas demergens, magnas quercus, pomos, aliasque diuersarum specierum innumerabiliter abradicans, domos ac parietes eruens, a quibusdam tegulas mirabiliter et uiolenter carpens, uix homines ita alteritos sua domicilia exire uel aliter in eisdem diucius expectare dimittens. Misericors deus qui illum secundum nostrum demeritum exagitabat finaliter sit benedictus. Amen.*

4 May 1471 Battle of Tewkesbury, ubi multi ex nobili genere extincti fuerunt.

3 June *Sancti Erasmi non Sar.*

17 June 1497 *Bellum apud Blakheth.*

26 July *Anne matris beate Marie isudit' duplex.*

10 Aug. *Obitus Roberti de Sefecote.*

13 Aug. [1252] *Obitus Rogeri de Winklegh decani.*

18 Aug *Obitus Reg[inaldi] decani Wigorn.*

7 Aug. 1431 *Drew Floyner§. . . . apud Liueyrdole merito concrematus erat.*

9 Sept. 1513. *Rex Scocie Iacobus nomine apud Bramston occisus est. Nota quod die sancti Lamberti uidelicet iiij^o kalend' Octobr' anno domini m^{mo} cccc^{mo} nonagesimo septimo fuit bellum ad portas|| . . . et Petri Warbeke . . . ||regis nostri Henrici septimi.*

7 Oct. 1497 *In crastino sancte fidis anno domini 1497 intrauit Exoniam H. septimus.¶*

17 Oct. *Sancte Etheldrede uirginis non martiris.*

24 Oct. *Obiit magister Willelmus Fullyford ij^d.*

27 Oct. *Herberti piscatoris.*

28 Oct. *¶Ob. Hegge.*

3 Nov. *Dene.*

* I owe this identification to the kindness of the Rev. H. M. Bannister.

† An erasure follows.

‡ Entered under *xvi. Kal. Mai.* instead of *xviii.*

§ An erasure follows.

|| Erasure.

¶ This notice is repeated more fully at the foot of the page.

5 Nov.*

*Obiit magister Rogerus Keys p[re]centor] et
ca[nonicus] di[lectus].*

16 Nov

Sancti Edmundi confessoris.

23 Nov.

Dedicatio Exoniensis ecclesie.

26 Nov.

Obitus Odeline uxoris Herberti piscatoris.

16 Dec.

Deposicio sancti Barbare uirginis et martiris.

Words like *pape*, mentions of St. Thomas, and the like, are commonly erased.

3509†.—Polychronicon of Ranulph Higden. After an alphabetical index, the ninth leaf bears the title, *Prologus primus in historiam, polichroni am* (inc.: *Post preclaros arcium scriptores*, as in C. Babington's edition, vol. i. 2), divided into four chapters (des.: *annus gracie et principis pariter conscribetur*, as in vol. i. 40). The face of the eleventh leaf is blank, but on its back begins *liber primus* the first chapter of which is numbered (as in the published edition) *cap. 5*, running on continuously from the preface inc.: *De senatus consultu*). The volume stops short in book vii. ch. 43 (thus numbered, instead of 44, as in the Cambridge University Library MS. li. 2. 24), ending *tranquillitatem et ecclesie libertatem*, with the rubric *Explicit historia*. (This is the termination also of the Magdalen College, Oxford, MS. 181, and of the St. John's College, Cambridge, MS. A. 12.‡) The manuscript proceeds in the same hand, *Et cito post hoc 3^o non. Aprilis* as in the Cambridge MS. li. 2 24).§ and continues for more than a page, ending at the close of the annal for 1340, *Set tandem, ob defectum pecunie quam ui segnes procuratores ab Anglia non miserant, contractis treugis et induciis inter reges utrinque discessum est* (as in the manuscript last cited, which here has the contemporary note, *Hic finit Chestyr*).|| The book is a well-written manuscript of the second half of the fourteenth century, and is bound in oak boards with a parchment wrapper and holes for a chain.

3512.¶—*Excerpta ex decretis Romanorum pontificum*, a volume of selections from the pseudo-Isidorian Decretals. The *Capitula Ingletramni* are followed by the synodal decree of Nicholas II. (1059) and the oath of Beringerius (printed in J. D. Mansi's *Conciliorum nova et amplissima Collectio*, xix. 897, 900, Venice 1774). After these are two leaves scored but not written in. The book resembles those described by Paul Hinschius, *Decretales pseudo-Isidorianae et Capitula Angilramni*, pp. lxxiv., lxxv. (Leipzig 1863). It was written in the thirteenth century, and is in the original wooden boards with parchment wrapper and a brass hasp for a chain.

3513.**—Pontifical of bishop Edmund Lacy. Fifteenth century. Quarto. Printed by Ralph Barnes, 1847.

3514.††—A volume of historical and other collections,†† written about 1285. Pp. 533. Quarto.

* Oliver gives 11 Nov. 1478 (Bishops of Exeter, p. 279).

† No. 13 in Bernard.

‡ See the printed edition, vol. viii. 324. ed. J. R. Lumby.

§ *Ibid.*, n. 6.

|| Vol. i., p. xlvi., ed. C. Babington, who compares the Corpus Christi College, Cambridge, MS. 117.

¶ No. 24 in Bernard.

** No. 41 in Bernard.

†† Described in Bernard as six separate manuscripts, Nos. 15–20.

- (1) The spurious *Liber de initio et fine seculi* (ascribed in the Dean and University College, Oxford, MS. xcix. p. 138, to Methodius Chapter of Patara and martyr), entitled in a fourteenth century hand *Methodius de fine seculi*. Inc.: *Sciendum namque est nobis*, p. 1. Des. (otherwise than the University College MS.):
- Anni ducenti milleni ter duodeni
Et seni decies a partu uirginis alme
Tunc antichristus nascetur demone plenus, p. 6.
- (2) Pedigree of Edward I. Inc.: *Adam genuit Seth*, p. 9. Des.: *Iohannem, Henricum, et Alphonsum, qui in minoribus decesserunt*, p. 10 a.
- (3) A summary of English history, entitled in a fourteenth-century hand in the upper margin, *De aduentu Anglorum in Britanniam*, and apparently abridged from Bede's *Historia ecclesiastica*. Inc.: *Anno ab incarnatione domini cccc. xlviii. Martianus cum Valentiniano*, p. 10 b. (cf. Bede i. 15). Des.: A.D. 734 with the death of archbishop Tatuinus and of St. Bede *venerabilis presbiter*, p. 18 b. (cf. Baedae Continuatio, vol. i. 361, ed. C. Plummer, Oxford 1896.)
- (4) The letter of Cuthbert to Cuthwin. *Incipit epilogium de obitu beati atque eximii doctoris Bedae. Munusculum quod misisti*, p. 19 (p. 176, ed. J. E. B. Mayor and J. B. Lumby, Cambridge 1881). Des.: *ineruditio linguae facit*, f. 21 a.
- (5) Genealogy of the kings of France. Inc.: *Primus omnium regum Francorum . . . Pharamundus*, p. 21 b. Des.: *Lodouicus genuit Philippum qui mortuus est Tholose. Philippus genuit Lodouicum* qui duxit filiam et heredem regis Nauarre*, p. 30 b.
- (6) Diagrams of the spheres, zodiac, &c., pp. 36-40.
- (7) A treatise entitled in a later hand in the upper margin *Beda de ymagine mundi*. Rubr.: *Speculum mundi ad instructionem eorum quibus deest copia librorum*. Inc.: *Mundus dicitur quasi undique motus*, p. 43. Des. (with a map of the world) *et cetera habens similia*, p. 53. This is a variant of the longer treatise attributed in some manuscripts to Bede (e.g., Merton College, Oxford, cod. cxviii. f. 212), and printed among the works of Honorius of Autun in Migne's *Patrologia Latina*, clxxii. 115.
- (8) Rubr.: *Genealogia uirorum ab Adam usque ad Brutum*. Inc.: *Adam pater generis humani*, p. 54. Des.: *Cadwalladrum ultimum regem Britonum, qui etiam rex benedictus dictus† est et apud Romam xii Kal. Maij mortuus et sepultus anno ab incarnatione domini DC. lxxxix. Finit genealogia regum Britannie successiue regnancium a primo ad ultimum, id est, a Bruto usque ad Cadwalladrum*, p. 56 a. This is followed by *Lewelinus filius Griffini*, p. 56 b.; then *Cyprius quidam filius Ieuan*.‡

* A mistake for *Philippum*, Philip IV.

† *Dictus* accidentally written thrice in the MS.

‡ I.e., Javan.

- (9) Rubr. : *Genealogia Anglorum*. Inc. : [E]thelwulfus fuit Egbrieti, p. 57^b.
 Rubr. : *Genealogia Normannorum*. Inc. : *Normanni origine Dani dccc. vi. ab incarnatione domini*, p. 58.
Hec est mensura Angliæ, p. 59.
- (10) *Genealogia regum Francie* [the title added in the upper margin, in the same hand as the text]. Inc. : *Anno primo Gratiani et Valentiniani*, p. 61. Ending with the history of Falco at Bedford and Hubert de Burgh at Devizes : *et iste similiter rotam fortune expertus est*, p. 66.
- (11) Dares Frigius, with the prefatory letter, *Cornelius nepos Salustio Crispo suo salutem*, p. 67. Des. : *Dares Frigius mandavit litteris*, p. 93 (ten lines from the end of the work as printed in *usum serenissimi Delphini*).
- (12) [Initial and rubric not filled in]. The dedicatory letter prefixed to Geoffrey of Monmouth's *Historia Regum Britanniae* (lib. i. 1, ed. J. A. Giles 1844). Inc. : *Dum mecum multa de multis sepius animo revoluens in hystoriam regum Britannie inciderim*, p. 94. Des. : *interno gratulatur affectu*, p. 94 b.
 Rubr. : *Incipit Historia Britonum a Galfrido Arturo* Monemutensi*. Inc. : *Britannia insularum optima*, p. 95.
 Des. : *de eorum lingua in nostram transferre curavi*, p. 218.
- (13) List of archbishops of Canterbury [down to Hubert], Sens, and Tours, bishops of Le Mans, Poitiers, Nantes, Amiens, Beauvaix, Paris, Orléans, Senlis, and Angers, and abbats of Jumièges and Fontan[elle] [St. Wandrille] followed immediately by the *Hystoria Anglorum* of Henry of Huntingdon, in en books. Chapters not numbered.
 Inc. : *Cum in omni fer litterarum studio*.
 Des. : *Te nunc intrante revixi*, p. 450^b, as in the 2nd edition by T. Arnold (London, 1879), but omitting the final sentence. The Exeter MS. is not mentioned by Arnold nor by Sir T. D. Hardy, *Descr. Catal.* ii. 269–275.
 After this, in the free column, p. 450 b., a hand of the fourteenth century has written a summary in French of the reign of Stephen and of that of Henry II. down to the conquest of Toulouse. Inc. : [A]pres cestui roi Estephene regna. Des. : *et la conquest le vij^{me}*.
- (14) History of the Norman dukes and kings of England, perhaps the Chronicle attributed to John Bever. See the Rawlinson MS. B. 150 f. 34 in the Bodleian library, and compare Hardy iii. 39 f., 281 ff.; Luard, pref. to *Flores Historiarum* i. p. xxxi. Capitula : 1 *De generatione Ricardi*, p. 451. Inc. : *Postquam Willelmus lungespee filius Rollonis*, p. 453. Des. : *Venit Pandulfus legatus Norwicensis electus*, p. 504.

The rest of the volume is in a later hand, of the time of Edward I

- (15) [Heading supplied subsequently]. *Cronica de Wallia*, Dean and Chapter of Exeter. p. 507. Inc.: *Annus M. C. nonagesimus . . . In hoc anno Ricardus Anglie et Philippus Gallorum rex cum immensa multitudine comitum et baronum Jerusalem perrexerunt*. The chronicle ends in the year 1266, after an account of what happened at Kenilworth and Ely, with the words, *incendia multa commiserunt*, p. 519.

After a space a new hand begins: *Resus filius Griffinus*, p. 522, ending *Septimus David qui fuit episcopus Meneuiensis*, p. 523. Then a fresh brief chronicle beginning a. 440 and going on to 1285, ending with the death of Philip at Toulouse. *Cui successit*, not continued, p. 528.

Subjoined are suggestions of authorship in a modern hand:

John Castor Chr. ab Ænea sive Bruto ad Hen. III.

Thomas Rudburn.

Barthol. Cotton.

3527.*—Speeches, petitions, and letters, belonging to the first year of James I. and ending with the articles of peace with Spain. April 1604. A contemporary collection transcribed in one hand. The contents are given by Bernard.

3530.—Collections concerning the city of Exeter by John Hooker, alias Vowell, chamberlain in 1555, comprising charters, covenants, &c., with plans. Printed under the title of *An original Manuscript of John Hooker*, by H. E. Reynolds, *s. l. aut a.*

3533†.—A volume (lettered *Miscellanea*) containing two distinct compilations:

1. A formulary, or book of precedents, for drawing up deeds. The examples are mostly taken from Oxford and its neighbourhood, as Witney, Curbridge [Cubrigge], Osney, Fyschefelde [co. Oxon.], Watele or Whatele, Kembyll, Radenache, city of London, Reading, Banbury, Selby [Northants]. One document mentions *parochia sancti Wilfridi Oxon.*, which may be imaginary. Written c. 1450.

2. Rules as to courts and other legal texts, with treatises on heraldry and falconry:

- i. *In itinere iusticiarum non admittatur essonia*, proceeding in French; definitions of tenures (in French); explanations of *prescripcion*, *tolle*, *theme*, *infrang theffe* [*sic*], &c. (in Latin).
- ii. *Sachez que en court de Baroun . . . sez plegges a parsi.*
- iii. *Les estatutes laborers*: *Edwardus dei gratia rex Anglie et Francie et dominus Hibernie capitalibus septem hundredorum Cirenc[estrie] in com[itatu] Glouc[estrie] ac subconstabulariis omnium villarum infra hundredum predictum salutem. Vobis precipimus, &c.* Gloucester. 21 April a. 17 [1343]. Followed by *La libell. Fyrst hyt is ordeyned* [giving rules concerning labourers].
- iv. *Pres[entacio] de fraccione prisone, etc.*, with other forms. (*Supersedas* &c.).
- v. *Officium coronatoris. Hec sunt inquirenda.*

* No. 43 in Bernard.

† No. 21 in Bernard.

- vi. *Modus tenendi Curie cum Vic' Franc'. In primis preceptum factum ballivis.*
- vii. A treatise on heraldry, with blazons: *Ye shall vnderstand that armes be gan at the sege of Troy.*
- viii. A treatise *For to kepe hawkys. To helpe an hauke of diverss sykenesse. Ends with A hoby-hauke. . . . comely they be horyst.*

Temp. Edw. IV.

3546.—*Statuta Collegii Balliolensis Oxon.*, a late sixteenth century copy of the statutes of 1507 (printed in the Statutes of the Colleges of Oxford, vol. i., London 1853). A note on the flyleaf, *My leave of absence was granted from the 18th of September 1602 untill 3 whole years be ended*, supplies a clue as to the manner in which the volumes came to the library. According to the Balliol College Register 1514–1682, p. 181, on the date named three fellows, Mr. Champian Gittens, Mr. Eustace More, and Mr. Robert Wakeman, were granted leave of absence for three years. Of these Wakeman became rector of Beer Ferris, dio. Exon., in 1603, and canon of Exeter in 1616.* There is a notice of him in Anthony Wood's *Athenæ Oxonienses* (ed. P. Bliss) ii. 470f.

No. 3550–3582^d. Chapter Act Books :

- (1) 1382–1434.
- (2) 1531–1535, with a Register of the Chapter, 1543–1563.
- (3) 1537–1562, with a Register of Grants, 1555–1565.
- (4) 1607–1628, partly transcribed from No. (6).
- (5) A draught of a portion of No. (4).
- (6) A draught Act Book 1622–1630.
- (7) 1630–1635.
- (8) 1635–1643.
- (9) 1643–1646, and 1660.

Twenty-eight more volumes carry the series down to 1876.

The earliest of these, No. 3550, is a volume with a leather back, lettered apparently in the eighteenth century *Prima quæ acta fuere ab anno 1382 ad annum 1424*. It is written on paper and defaced in parts with galls and other chemicals. It is numbered at the foot once by the page, elsewhere by folios, the numeration beginning on the third leaf with f. 2. An older numbering at the top of the pages, which I have not recorded, shows that 23 leaves have been lost since it was made. The entries in the volume, which are written in various hands, and contain many grammatical mistakes, concern the appointment of officers and servants, the determination of their duties, and requirement of residence from canons ; the nomination, presentation, and deprivation of vicars, secondaries, &c., regulations about them, and orders respecting quarrels among them ; the management of estates, settlement of disputes about rents, remission of payments due, or of fine on failure to keep the terms of a bond, assignment of houses, and manumission of bondmen ; imposition of penance, purgation, submission, and restitution ; licences for burial in the cathedral. The names of the members of the Chapter present are usually given.

* J. Foster, *Alumni Oxonienses, 1500–1714*, iv. 1554.

The first leaf is mutilated and so badly defaced as to be almost illegible. It contains an imperfect memorandum of a chapter meeting on 9 Jan. 1383/4. The second leaf contains a list of vicars with their answers to some proposition not set out; followed by an act of the Chapter, 8 April 1382, disfigured by galls. On the back is an act of 25 July 1382 recording the election of stewards of the exchequer. Dean and Chapter of Exeter.

f. 2. Agreement by John Otery, vicar of Aysperton [Ashburton], to pay the Chapter the pension due from that church.

p. 4. Inuentorium factum ad altare sancti Pauli, die S. Aniani anno domini &c. lxxij^o*

unum Missale quod sic incipit in secundo folio: *Anno domini M.CC.*

Item unus calix argenti deaurati.

Item duo corporalia cum uno repositoio.

Item unum uestimentum rubei coloris.

Item aliud par uestimentorum albi coloris.

Item unus pannus de serico diuersi coloris de dono Andree Larp'flad.

Item uelum de quadragesimali.

Item quatuor tuelli quorum ii. debiles.

Item i. hed ad coperiendum lapid[eum] altar[e].

Item ii. fiole de stagno debiles.

Item i. pax leed.

Item i. tuallus debilis ad tergendum manus.

Item i. paunus pendens ad altare debilis.

f. 5. Notice of the citation of the vicars, annivellars, and others to appear at the visitation of archbishop William [Courtenay] or his commissaries. Saturday before Sexagesima [13 Febr. 1384].

f. 5b. Memorandum quod liberantur custoribus in choro xxiiii^{to} die Januarii anno domini millesimo ccc^{mo} lxxxii^o unum magnum antiphonarium pro parte Decani quod incipit in secundo folio scripto *Vel oratio Deus auctor pacis.*

Item unum bonum psalterium quod incipit in secundo folio post *beatus uir, ges terre.*

Item quoddam Gradale quod incipit in secundo folio *neque irrideant.*

Item unum alterum Gradale quorum† anniuell' et secund' quod sic incipit in secundo folio *Rugientes inimici.*

Item pro parte precentoris unum Gradale quorum† anniuell' et secundar' quod sic incipit [in secundo†] folio *deant me inimici.*

Item unum antiquum psalterium pro choristis quod sic incipit in secundo folio post *beatus uir, Surrexi quod habuit.*

Item pro parte precentoris§ unum ympnarium.

Item pro summo altari|| unum calicem bene deauratum de antiqua scultura cum patena habente agnus dei et in pede una uinea ponderis &c.

* So, for 1383.

† Sic.

‡ Omitted in MS.

§ *Pro parte precentoris* added in the margin, and after this *Item*.

|| *Pro summo altari* added in margin.

Item unum par fialarum absque cooperturis de argento ponderis &c.

Item unus textus cum ymaginibus Crucifixi, Marie, Iohannis in medio, Petri in summitate, Pauli sub pede, et octo angelorum circumquaque.

Memorandum quod xiiii^{mo} die mensis Iunii anno domini M^{mo} ccc. lxxxiii^{to} Indictione vii. pontificis s. in Christi patris et domini nostri domini Urbani diuina providentia pape vi. anno septimo. M. Radulphus Tregryseow fuit admissus in Canonicatum et fratrem in Capitulo. Et postea quasi immediate* accessit in scaccarium dicte ecclesie et ibi iuravit ut moris est. Et recepit xii. d. et iii. panes Canonicales in signum possessionis sue nocte et adeptis, quos M. H. Hykelingg tunc presidens sibi tradidit et liberauit, presentibus Colu[m]pt[on], Powet[on], Treuell[is], Reginaldo Bryda vicariis, et R. Pipeli et Roberto Lingham clerico Exoniensis diocesis testibus et ad premissa autoritate specialiter assignatis.† Item prefatus Tregri[se]ow promisit bona in scaccario conservare Capitulum indempne in casu quo prebenda‡ huius fuerit euecta ab eodem, presentibus tunc ibidem Canonicis silicet§ supradictis. Et eodem die habuit possessionem decanatus et fuit inductus auctoritate apostolica per M. I. Profet.

f. 7. Concessio medietatis|| prebendarum ad opus ecclesie, uidelicet quod quilibet Canonicus dabit xl. s. per annum tam residens [quam non residens¶] de prebenda sua quosque opus nouum claustris finiatur.

f. 10. Memorandum quod ix^o die Iunii anno domini &c. lxxxvi^{to} in domo capitulari ecclesie Exoniensis dominus Henricus Blacborne canonicus eiusdem ecclesie petiit a decano et capitulo dicte ecclesie . . . an uellent consentire et sibi concedere quod posset deponere in scaccario eorum nomine custodie l. li. pro obitu bone memorie domini Edwardi nuper principis Wallie per l. annos tenendo et celebrando in eadem ecclesia illo die quo migravit e seculo soluendo quolibet anno de eadem summa xx. s. ad obitum antedictum. Habito super hoc aliquali tractatu inter ipsos decanus et capitulum tandem unanimiter consenciebant et dicto domino Henrico concesserunt quod fiat prout petit.

f. 11. Permission to Mr. John de Mora [rector of St. Petroc's, Exeter] *quod habebit sepulturam in medio ecclesie beati Petri Exonie uidelicet in nauis dicte ecclesie.* 23 June 1385.

f. 18 b. Order *quod quisunque qui asportauerit aliquem librum de ecclesia sine licencia custodis seu custodum ecclesie et precipue librum qui uocatur Clopton soluet xx. d. denar^s ad fabricam ecclesie.* Wednesday after the Assumption [22 Aug.] 1386.

Order *quod custores deberent portare dictum librum uocatum Clopton in chorum et reportare eciam et lecternos.* 2 Sept. 1386.

* MS. *in mlt.*

† MS. *p^{ia}*

‡ This word is conjectural, the MS. being here illegible.

§ Sic.

|| MS. *me^{tu}*.

¶ Omitted in MS.

f. 20 b. Order for the closing at night of the gates of the close, *que per certum tempus non clauderantur, super eo quod ciues Exonie ingressum et egressum ad custodiendum quandam fugitivum in eadem ecclesia existentem habere uendicabant.* 20 Jan. 1386/7. Dean and
Chapter
of Exeter.

f. 27. The oath of a canon. (Three draughts corrected.)

f. 28. Formal record of the visitation of bishop Thomas [Brantingham] 22 April 1381 (entered among matters done in 1387).

Licence to William Pers to build houses in the eastern part of the churchyard. Wednesday after St. Gregory [19 March] 1381/2.

Licence to sir John Sparke, vicar of the church, to journey to Rome and to receive back his vicarage on his return unless he should have obtained another benefice. 17 Aug. 1387.

f. 32. Record of the excommunication of canon H. Blakeborn by order of the archbishop and of the bishop of Exeter. 13 May, being Wednesday in Whitsun week [1383].

Memorandum quod liberantur Andree* himpnorum libri infrascripti ad uendendum.† Dat[i] ad fabricam ecclesie per Walterum Hasilholde. In primis unus liber qui incipit in secundo folio *mitti ut.* Item unus quaternus de rubeo coopertus *ppara sta.‡* Item alius liber in secundo folio *cia nec.* Item alius liber qui sic incipit *postquam consummati.* Item quaternus non ligatus qui sic incipit *quicunque scripti sunt ad nostre gr.* Item unus quaternus qui incipit in secundo folio *precipua est.* Item alius quaternus qui incipit in secundo folio *omnes si bene.* Item alius quaternus qui incipit in secundo folio *Ego sum.* Item liber unus qui incipit in secundo folio *uel possessiones.* Item alius liber qui incipit in secundo folio *res enim.* Item alius liber qui incipit *Deus datur hominibus.*

f. 34. Order *super et de custod' de klok'*, 21 Febr. 1381/2, Indict. V., quod custores ecclesie debent de cetero custodire klok' et pulsare campanas et§ ad chorum pro canonicis et aliis ministris et pulsare in maioribus duplicibus et aliis prout ab antiquo est consuetum;

each canon present to pay them 3*d.* on each major festival.

f. 35. Agreement by dean Thomas Walhmanton|| to the building of the vicars' houses in Kalenderhaye *drummodo ponantur in loco ibidem ita quod non¶ nocerent** aule nec lumini capelle decani in domo sua constructe.*

f. 39. 19 Oct. 1389. Admission of sir William Hayforde, priest, as annuellar *ad celebrandum pro anima Iohannis de Monte acuto et Iohannis Wyger ad altare sancte crucis in alto.*

f. 40 b. Grant of 6*s.* 8*d.* to Mr. William Pyers for drawing up the decree of bishop Thomas [Brantyngham] touching the yearly pension of 20*s.* from the church of St. Mary Major at Exeter, and of 3*s.* 4*d.* to Mr. William Ledes for writing the same, together with another 3*s.* 4*d.* if he will make a duplicate *sub instrumento publico.* 23 March 1387/8.

* Scil., domino Andree Rony uicario. † *Ad uendendum* written above the line.

‡ Apparently the opening of the secundum folium. § *Et* inserted above the line.

|| Called *Walhmanton* on f. 34. ¶ *Non* omitted in MS.

** MS. *nocent'*, but the imperfect subjunctive is used in the sequel.

Dean and
Chapter
of Exeter.

f. 41 *b*. Writ to James Chuddelee, sheriff of Devon, ordering him to take the oath of the peace from the gentry of the county and from the mayors, bailiffs, and aldermen of cities and boroughs, 20 March 11 Ric. [II.] [1387/8].

f. 42. The terms of the oath, in French.
promise of the president and chapter to obey the writ, *quatenus ad hoc sunt astricti libertatem ecclesiasticam et eorum status in omnibus saluando*. 15 April 1388.

f. 42 *b*. Agreement by the chapter, 13 May 1388,

quod illa peccunia reposita in scaccario Exon et domino regi forisfacta, ut patet per breue regium pro eadem peccunia recipienda decano et capitulo directum, liberaretur Iohanni Elyngham, seruienti ad arma, nisi aliquam dilacionem inde ab eodem obtinere possent. Et subsequenter prefati decanus et capitulum eidem Iohanni supplicabant quatinus de recepcione dicte peccunie ad tempus expectaret sub spe aduentus magistri Thome Cary si huiusmodi peccuniam tanquam suam uendicaret; prefatusque Iohannes dixit quod hoc nullo modo facere potuit propter nimiam festinacionem, pro eo quod dicta peccunia fuit assignata ad uiagium comitis de Arundell, ut dixit: promisit tamen dictis decano et capitulo, tam cito postquam uenerit London[ias], antequam faciat liberacionem dicte peccunie, quod uellet mittere pro dicto magistro Thoma, si fuerit ibidem, ad probandum coram cancellario et consilio regis si huiusmodi peccunia sit peccunia sua, si uoluerit.

Besides the chapter, the mayor of Exeter was present; and on the morrow, 14 May, in the exchequer of the church, in the presence of Richard Boson, mayor, and John Grey, citizen of Exeter, the money was delivered to the said John Elyngham.

f. 43. Memorandum that Mr. William Trevellis, treasurer, peccit . . . nomine beneficii sui uiam eundi super ambulatoria circa ecclesiam extendencia secundum consuetudinem eiusdem prout predecessores sui habuerunt, ut asseruit, et a legauit quod huiusmodi uia esset sibi necessaria pro rebus et ornamentis ecclesie propter pericula latronum que in ea parte possent contingere tucius custodiendis. Item dominus Willelmus Wyt, custos dicte ecclesie, dixit quod solitum fuerat quod custodes ecclesie semper habebant unam clauem hostii iuxta altare sancti Iohannis Euangeliste ad portanda uestimenta et alia ornamenta super plumbum dicte ecclesie ad aridend' ea contra solem.

The *custodes siue custores* were allowed a key of the said door. 30 May 1388.

Order that the *pulli columbini* of the church, when caught, should be sold and the profit applied to the use of the fabric and to no other.

f. 45. Grant to Sir John Holond lord of Dertyngton of tiles (*petras tegulin[as]*) from the quarry in their manor of Staverton, on payment of the accustomed price. 12 Sept. 1388.

f. 45 b. Appointment of Mr. Nicholas Braybrok' and Mr. John Lideforde as proctors in convocation. 2 Oct. 1388. Dean and Chapter of Exeter.

Order that every canon may take one cloth of gold *de pannis ecclesie oblatis* to make his cope for the use of the church, so that the orfrey of the said cope be worth 5 marks at the least. 19 Oct. 1388.

f. 47. Admission in the Lady chapel by the dean, by authority of a commission of William [Courtenay] archbishop of Canterbury and of the proctor of the Archdeacon of Exeter, of John Spenser *ad regimen scholarum gramadicalium [sic] in civitate Exonie*. 11 Jan. 1388/9.

f. 48 b. Report on the manor of Bampton [in the Bush, co. Oxon.]. 10 May 1389.

f. 49 b. Agreement that Thomas Dyre, priest, M.A., may have the *officium presbiteratus siue cantarie de Stapildon halle, Oxon*, vacant by the resignation of Mr. William Talkarn. 8 July 1389.*

f. 50 b. Leave for cutting down two trees in the churchyard *ob reuerenciam uenerabilis patris domini Willelmi Cantuariensis archiepiscopi*. 23 July 1389.

* f. 54. Order for the repair of the organs in the Lady chapel. 11 Dec. 1389.

f. 54 b. Memorandum that 24 Jan. 1389/90 Mr. William Pyl canon of the church begged forgiveness for his bad behaviour towards dean Ralph Tregrisiou, and that it was ordered that if he again misbehaved towards the dean or any one of the canons he should at his own expense glaze one window in the cloister of the church.

f. 56. 21 April 1390, sir Henry Blacborne, canon of the church, promised 100 marks for the repair or improvement of the great window in the head of the church behind the high altar (*reparacioni siue emendacioni magne fenestre in capite ecclesie retro magnum altare*).

f. 70. Leave granted to dean Ralph Tregrisiou to make a copy of the statutes and customs of the church at his own charges, so however that the books be not removed from the exchequer but be copied there. 7 Oct. 1391.

f. 71. 2 Dec. 1391, when John Lugans, chancellor of Thomas [Brantyngham] bishop of Exeter, handed to the Dean and Chapter an ordinal of the use of Sarum, of the bishop's gift, for the use of the church of Exeter, the Dean *dixit pro se quod nollet aliquo modo admittere predictum ordinale absque pleniore deliberacione, et sic exiuit de capitulo*. The remaining members of the Chapter then promised to observe the said ordinal, but on account of the absence of the others the resolution was adjourned until the 4th, when the Chapter (*post scrutinium factum* deleted) admitted the ordinal and promised to observe it for the future, *exceptis peculiaribus officiis sanctorum in illa ecclesia ultra usum Sarum diucius usitatis, et eciam consuetudinibus et obseruanciis que maius extendunt in laudem dei et honorem ecclesie quam ille forsitan que*

* C. W. Boase, Register of Exeter College, Oxford, pp. 18, 20 (ed. 1894), gives the date as 1390, but makes Talkarn continue as chaplain until 1394.

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continentur in hoc ordinali, quas observare tenentur per iuramentum, dum tamen dominus Cantuariensis, qui ratificavit et approbavit antiquum ordinale, hanc admissionem tolleraverit. The Dean accepted the ordinal subject to an elaborate reservation of rights of the church.

f. 73. Memorandum of the loan on 7 June 1392 by Baldwin Schillyngforde, with the consent of the Dean and Chapter, to John Schepways of *unum librum uocatum policronica qui incipit in secundo folio in textu** *In historia romana*,† until next Michaelmas. In the event of his failing to return the book Robert Bosoun the chancellor promised to pay 20 marks. The entry is cancelled, on the return of the book on 15 Oct.

f. 77. Record of the induction of Mr. Robert Rygge, S.P.P., by authority of a mandate of archbishop Thomas [Arundel], into the canonry and prebend void by the death of Mr. William Pyl. 23 Dec. 1392.‡

Order for the employment of masons [*latham*i] on the fabric of the church, in repairing the southern bell-tower and afterwards in making other repairs. 4 Jan. 1392/3.

f. 89. Order for the proper registration of the acts and decrees of the Dean and Chapter by a notary public. 13 March 1394/5.*

After f. 93, 16 Jan. 1336/7, the next entry, on f. 94, is one of 17 March 1402/3.

f. 97. Order

quod medietas totius pecunie ad communem pixidem sine truncum ecclesie parochialis de Bampton proveniens ad decanum et capitulum pertinens per duos annos proxime futuros deberet tradi et solui ad emendacionem et reparacionem scrinii alias schryne et§ capitis sancti Bernwaldi.

10 June 1406.

ff. 102, 103, contain records of 1409 and 1410; then of 1405; then of 1410-1411.

f. 106. Letter of bishop Edmund [Stafford] to the Dean and Chapter and to the archdeacons (8 Nov. 1413), reciting a letter of Richard [Clifford] bishop of London to him (23 Oct. 1413), reciting a letter of archbishop Thomas [Arundel] to him, ordering processions for the extirpation of sedition, schism, and heresy, especially consequent on the prevalence of *pestis illa execrabilis lollararie* (24 Sept. 1413).

f. 109 b. On 22 Jan. 1411 Mr. John Westecote, rector of St. Petroc, Exeter, one of the executors of the late Mr. Robert Ryggh, chancellor of the cathedral church, delivered to the chapter two books bequeathed by him *librarie ecclesie; quorum duorum librorum unus uocatus Notyngham, qui incipit secundo folio Iya, et alius liber Bartholomeus qui incipit secundo folio adiectiua.*

f. 119. Gift by the President and Chapter to the parish church of Elerby of two *legende*, one *temporalis*, the other *omnium sanctorum*. S. Tecla [23 Sept.] 1417.

* That is, not counting the table of contents prefixed.

† Thus in the MS. now numbered 3509 in the possession of the Dean and Chapter: see above, p. 30.

‡ Boase, p. 11, gives the date of his appointment as canon of Exeter and archdeacon of Barnstaple as 16 Febr. 1394/5

§ Sic.

f. 121. Assignment of antiphoners, given by Thomas of Brantyngham and John of Grandisson, to places in the choir. 10 Febr. 1419/20. Dean and Chapter of Exeter.

f. 127. Note of the postulation of John Catteryk, bishop of Lichfield and Coventry, as bishop of Exeter, and on his decease of Edmund Lacy, bishop of Hereford, who was installed by [John Chandler] bishop of Salisbury on Midlent Sunday, 22* March 1421/2 : after which he gave a great feast and on the morrow visited the church and preached a good sermon in Latin in the chapter house. He then dined with canon John Waryn and with the bishop of Salisbury called Chaundeler, who left (*devillavit*) after dinner. And on Wednesday following, being the Annunciation, he preached in English in the pulpit before all the choir and the people of the city of Exeter, and dined with chancellor Thomas Hendeman.

f. 129. Memorandum concerning the great silvergilt tabernacle of king Henry V. deposited with the Dean and Chapter for 860 marks. 14 June 1423.

The volume ends on f. 139 in 1434, after which is a loose leaf (1437) : the last twenty pages are very fragmentary.

No. 3601-3605.—Chapter Registers, containing deeds, orders, letters, &c., passed by the Chapter. The first two registers are bound up with the chapter acts books 2 and 3. These five volumes extend from 1612 to 1821.

No. 3611-3620.—Chapter Sealing Books, containing entries of documents sealed, with notes of the fines for renewal of leases, 1597-1873.

No. 3625-3631.—Statutes of the Church. No. 3625 is described below. No. 3626 contains the Statutes of 1268-1358, in a late fourteenth century hand.† The other volumes are modern.

3625.—Statutes of the church. c. 1400.

1. Calendar with obits observed in the cathedral church (added to from time to time).

2. Statutes down to bishop Brantyngham's 2nd statute 1387.

3. On f. 54 *b.* begins the so-called *Chronicon Exoniense* :
Prima etas seculi ab origine mundi. . . .

. . . A.D. 49 Vespasianus cum exercitu Romano civitatem Exon octo diebus obsedit.

It ends on f. 59 with death of bishop Brantyngham 3 Dec. 1394. Then *Anno*, not continued.

4. f. 59 *b.* List of bishops of St. German in Cornwall.

5. f. 59 *b.* Account of collectors of a lay subsidy in Devon, 7 Rich. II.

6. Rentals, ordinances, inventories, forms, oaths, &c.

Some additions down to c. 1430.

No. 3631-3666.—Chapter clerk's Minute Books. 1676-1882.

No. 3671-3811.—"Miscellaneous books in the nature of official records of the D. & C., as Inventories, Chartularies, Visitation Books. Obit Books, Excrescence Books, &c." (Catalogue).

* Miswritten *xxix*^o in the manuscript.

† Dated 15th century in the catalogue.

3672.—Chartulary lettered *A Leidger or Transcript of Evidences*. Early fifteenth century, with additions.

3673, 3675.—The Obit Books contain the names of the clergy present at obits with the sums divisible, receipts from the endowments of obits and from offerings at them. The first (No. 3673) is contained in a *taxatio* c. 1300, beginning at f. 59 with the accounts from 1306–1312. The second (No. 3675) contains also the ordinances of obits.

3679.—Book of a rate made by the mayor and commonalty of Exeter, Easter 24 Hen. VI. *ad usum et sustentacionem cuiusdam placiti dictarum* maioris et communitatis de quodam debat' inter dominum Exoniensem episcopum et prefat[as] maiorem et communitatem* for three years.

3680.—Views of the monies found deposited in the *cista fabrice*, 1482–1549.

3721. Fragment containing the end of a statute on the duties of a canon with his oath; with a rental of property in Exeter, which is not certainly part of the former. After 1225. The rental may be a few years earlier.

No. 3812–4036.—Rentals, surveys, &c.

No. 4501–4726.—Miscellaneous papers in bundles.

4679.—An inventory taken the 20th day of October 1668 of what plate & other things belonge to the Cathedrall Church of saint Peters Exoñ :

In primis a Double Gilt Bason & Ewre

Item two Gilt Flagons

Item fower Gilt Challices with Covers

Item One silver Bason

Item two Lying Clothes belonging to the Communion Table

Item Eleven plush Cushens

Item seaventeene smale Cushens.

Other inventories of later date are No. 4680–4682.

4683–4693.—Papers relative to the repair of the organ, 1664–1819.

4700.—*Orders about Repairing the Church &c. from the 28th of April 1763.* Among these may be noticed :

That the old Grave Stones that were lately taken up in the Choir be laid down in the Body & Iles of the Church at such places as may want repair . . .

That Iron Rails be erected in the Choir in the room of the Wooden ones lately taken down . . .

That the Pillars in the Choir be Oyled.

1478.—Four folio leaves headed *Speaking in the howse and beginning If any of the howse bee desirous to have any new law made.* The rules of debate here given are numbered from 1 to 35. There are many corrections, and marginal notes. The writing is of the time of Charles I., but the text mentions *Sir Henry Crisp his bill 21 April*, apparently referring to 1558.†

4724–4726.—Papers relating to disputes between bishop Lamplugh and the Dean and Chapter. 1679–1680.

No. 4751–5264.—Court rolls and bailiffs' accounts.

* Sic. † Accounts and Papers, 1878, xvii. (Members of Parliament), part 1, 397.

- No. 5301-5366.—Documents relating to the vicars choral.
 No. 6000-6027, 6032-6074.—Leases and counterparts of leases.
 No. 6028-6031, 6075.—*Rotuli solutionum ministrorum*, citations, &c., of modern date, and papers of no value.

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PART II.

2062.—Grant by Robert, count of Mortain, to the abbey of St. Michael in peril of the sea, of St. Michael's mount in Cornwall; with confirmation by Liuric [Leofric] bishop of Exeter [1085? *]. A memorandum is added :

Ista carta est contra aliam ueterem et autenticam scripta, habentem sigillum prefati Willelmi regis et Roberti comitis Moretonii, et sigillum Liurici Essecestrie episcopi.

Transcript, temp. Hen. II. *Printed* from the original in Dugdale's *Monasticon* vi. 989, and thence in Oliver's *Monasticon Dioecesis Exoniensis* (Exeter, 1846) p. 31.

[No number.].—Charter of liberties of Stephen. Oxford, 1136. Fragment of *seal*, on green & yellow silk strings. This charter, which is exhibited in the Library, is described on the ticket placed by it as *the only authentick copy known to be now subsisting*; but there is a much more finely written specimen in the chapter house at Salisbury. The present exemplar is written continuously without any indication of division into sections. The text is printed from it in the *Statutes of the Realm*, i., *Charters of Liberties*, p. 3 (1810), where an engraved facsimile is given.

2073.—Confirmation by Stephen of grants of various churches to the church of Exeter [1136†].

† In nomine sancte et indiuidue Trinitatis.

Ego Stephanus Willelmi Anglorum prim[i] regis nepos. totiusque Anglie rex ac moderator notum facio omnibus. clero simul et [po]pulo. tam presentis seculi quam futuri. quia dei misericordia compunctus. pro absolutione peccatorum meorum. et salute anime [me]e. concedo et confirmo Sancte Marie et Sancto Petro Exoniensis ecclesie. has subscriptas ecclesias ita om[ni]bus modis liberas et quietas; sic[ut] eas donatas esse a preclaris regibus predecessoribus meis ipsorum carth[e] test[antur]. Ecclesiam uidelicet Sancti Petroci. Sancti Stephani. Perani. Tohov. Probas. cum omnibus terris e[t rebus] ad eas pertinentibus; ita liberas et quietas ab omnibus geldis. querelis et consuetudinibus; sicut fuer[unt] temporibus antecessorum meorum. Preter hec autem; tres

* Round, *Calendar of Documents preserved in France*, i. 256.

† The date is after Easter, 1136, because Robert, Earl of Gloucester, did not return to England until after that feast, and before 21 Nov., when Archbishop William of Corbeuil died.

‡ In this and other documents, in consequence of the inadequate apparatus of the printers, the *e* with cedilla has had to be printed as a simple *e*.

ecclesias in deuonia. quas pie memorie Willelmus Auus meus Willelmo episcopo Exonie dum adhuc capellanus suus esset dedit. ecclesiam scilicet de Plintona. ecclesiam de Brantona. et ecclesiam Sancti Stephani. intra ipsam ciuitatem Exonie; ipsas concedo [et confirmo] sedi episcopali exonie. hereditario iure imperpetuum obtinendas pro redemptione anime mee et parent[um meo]rum cum omnibus terris. et decimis. et rebus ad eas pertinentibus. ita liberas et quietas ab omnibus consuetudinibus et querelis; sicut auus meus predicto Willelmo eas dederat. Nec non et ecclesiam de Culintona. quam Henricus rex auunculus meus Willelmo episcopo dederat; similiter concedo et confirmo sedi episcopali Exonie. pro remissione peccatorum meorum; cum terris. et decimis. et omnibus rebus ad eam iuste pertinentibus. Et ut hec ita data inuiolabiliter et inconcusse sub eterno munimento permaneant; Signo Sancte crucis consignata coram testibus subscriptis; dimitto.

Ego Willelmus Cantuariensis
Archiepiscopus; Confirmo.

Ego Turstinus Eboracensis
Archiepiscopus; Confirmo.

Ego Henricus Wintoniensis
episcopus; Confirmo.

Ego Rogerius Saresberiensis
episcopus; Confirmo.

Ego Alexander Lincolniensis
episcopus; Confirmo.

Ego Ebrardus Norwicensis
episcopus; Confirmo.

Ego [Ni]gellus Elyensis episcopus;
Confirmo.

Ego Safridus Cicestrensis episcopus;
Confirmo.

Ego G[a]ufridus Dunelmensis
episcopus; Confirmo.

Ego Rogerus Couintrensis episcopus;
Confirmo.

Ego Symon Wigornensis episcopus;
Confirmo.

Ego Bernardus de sancto
Dauid episcopus; Confirmo.

Ego Robertus Herefordensis
episcopus; Confirmo.

Ego Robertus Bathoniensis
episcopus; Confirmo.

Ego Rogerus Cancellarius;
Confirmo.

Ego Robertus Abas de Tautota;
Confirmo.

Ego Ingu[lfus] Abas de] Abben-
don[a]; Confirmo.

Ego Mathildis regina;
Consigno.

Ego Robertus Comes de
Glocestria; Consigno.

Ego Willelmus Comes de
Sudreia; Consigno.

Ego Symon Comes de
Norhantona; Consigno.

Ego Rogerus Comes de
Warewic; Consigno.

Ego Robertus Comes de
Legecestria; Consigno.

Ego Walterus Comes de
Bukingeham; Consigno.

Ego Robertus filius Ri-
cardi Dapifer; Consigno.

Ego Hugo Bigodus; Con-
signo.

Ego Willelmus den Albin-
neio; Consigno.

Ego Robertus de Oilli;
Consigno.

Ego Robertus de Ver; Con-
signo.

Ego Albericus de Ver;
Consigno.

Ego Ricardus Basset; Con-
signo.

Ego Guido de Nunant;
Consigno.

Ego Willelmus filius
Odonis; Consigno.

Ego Gisli[]n de S.Omer;
Co[n]signo.

Ego	[] ger de alleto [Con-	Dean and
	s]igno.	Chapter
Ego	Willelmus filius Ri[]	of Exeter.
	Consigno.	
Ego	[Hu]nf[ri]dus deBohu[n] ;	
	Consigno.	
Ego	[W]alterus filius Turstini	
	Consigno.	
Ego	[Wi]llelmus Capra Con-	
	signo.	

On the back dean Lyttelton has noted : *N.B.—There was a seal appendant to this deed, when I found it, but it was entirely decay'd, & dropped from the body of the deed, as soon as I touch'd it.* The charter is itself damaged, especially in the lower part. It has been mounted on paper, and the last witnesses have been accidentally shifted a line too far. According to the Catalogue the document has been published, but where is not stated.

2074.—Covenant between Theobald prior of St. Martin de Campis [near Paris] and the church of St. Peter, Exeter, touching the chapel of St. James. 18 Oct. 1143.*

IN NOMINE . SANCTE . ET . INDIVIDUE . TRINITATIS . AMMEN.

A principio usque ad finem, ab eternis usque ad creata, singulis quibusque rebus diligenter examinatis, nichil inter omnia repperitur quod preter karitatis conciliationem alicui delectabiliter copuletur. Quam ob causam evidens est intelligi si presens vita sola esset, karitati vel soli vel maxime attendendum, quam si de medio tollas, nichil est in universo quod placeat. Nunc autem quandoquidem et primitie karitatis prelibatio sunt beatitudinis, et illius plenitudo incorruptionis erit consummatio, quanto magis servanda est ? Ipsius igitur ratione ductus ego Theobaldus humilis prior beati Martini de campis cum eiusdem ecclesie universo conventu presentis carthe eterna memoria ad modernorum et posterorum usque noticiam transmittere curavi, qualis inter nos et ecclesie beati Petri Exoniensis capitulum de capella sancti Iachobi communi utriusque partis assensu facta fuerit conventio. Ecclesia itaque beati Martini capellam illam a prefate ecclesie canonicis in perpetuum tenebit, decimas illius duntaxat territorii eis annuatim reddet ; de parrochianis eorum vel ad monachandum vel ad sepeliendum preter eorum consensum nullum recipiet. Concessum autem cimiterium, quod ab eisdem canonicis multis et magnis suis et estimabilem personarum precibus obtinere promeruit, absque refragatione apud eandem capellam in perpetuum possidebit. Quod ut ratum sit et immobile perseveret, sigilli nostri munimine et testibus subnotatis confirmavi. S. R. abbatis Tavestoce. S. Eustachii abbatis de Bucfestre. S. Archidiaconorum Willelmi de Auco, Walteri, Hugonis, Radulfi. S. canonicorum Roberti cantoris, Walteri filii

* Cf. Oliver, Monast., p. 191.

Goscelini, Godefredi, Iohannis, Rogerii. S. monachorum Richardi, Willelmi, Arnulfi. Actum die sancti Luce anno ab incarnatione Domini m. c. xliii. Innocentio papa ii. Henrico episcopo Wintonie, legato Anglie. Teobaldo archiepiscopo Cantuarie. Roberto episcopo Exonie, Stephano rege Anglie.

To the parchment strip which once bore the seal is appended a confirmation of the agreement by archbishop Theobald (*printed by Oliver, Monasticon, p. 193 b*).

2075.—Grant by bishop Robert [Chichester] to the canons of Exeter of all the churches on the manors of St. Peter. 15 Aug. 1148.

Robertus Dei gratia Exoniensis episcopus, omnibus Christiane fidei cultoribus et ecclesie catholice dilectoribus, timorem Dei pariter et amorem. Quoniam ex iniuncto nobis officio debitores sumus ut ecclesiarum et ibi Deo famulantium possessiones et elemosinas tueri et augeri loco et tempore studeamus; eo nimirum intuitu canonicorum nostrorum Exonie communionem et victum substantialem ad honorem Dei et servicium ecclesie nostre roborandum amplificare decernentes, ecclesias de maneriis sancti Petri omnes canonicis nostris libere et absolute, quas prius habueramus, in commune reddidimus, offerentes eas super altari sancti Petri per textum evangelii, in presentia et testimonio Patricii episcopi de Limeric et universi cleri et populi civitatis, in die assumptionis sancte Marie, die dominica tunc per c.,* anno m. cxlviii. ab incarnatione Domini. Sic tamen predictas ecclesias cum suis pertinentiis concessimus, ut nostro communi assensu disponantur, et honestis vicariis et honestis expensis eisdem necessariis commendentur, cum vacaverint. Porro interim Hugo archidiaconus ecclesiam de Branchiscumba et ecclesiam de Saintemariecherche in diebus suis teneat; et Aluredus ecclesiam de Duvelis et ecclesiam de Teignemudam, et Rogerus filius capellani ecclesiam de Sideberia, et Hugo presbiter ecclesiam de Stovertona, et Ricardus filius Godefridi ecclesiam de Stoches, in vita sua similiter habeant. His vero canonicis prenominationis et clericis de medio factis, ecclesie predictae ad capituli nostri communionem redeant, prout pretaxatum est, salvo ubique iure nostre subiectionis et dignitatis. Quod ut presentibus et futuris inconcussum et ratum permaneat, sigilli et carte nostre munimine, et testimonio prelibatorum, videlicet Patricii episcopi de Limeric et cleri et populi Exonie, et ipsorum canonicorum astipulatione confirmatum assignavimus, orantes ut quicumque huius nostre largitatis et beneficentie liberalitatem Dei pro amore manutenuerit, sit ei Dei misericordia clemens et delictorum suorum indultrix. Verum quisquis ex adverso huic rei contradixerit et obstiterit, ultioni divine subiaceat, nisi resipuerit. Amen. fiat. fiat.

Printed by Oliver, Bishops of Exeter, pp. 410 seq.

* The words *per c.*, which are omitted by Oliver, indicate the Sunday letter of the year. Cf. H. Grotefend, *Zeitrechnung*, i. 180 a (Hanover, 1891).

1558.—Grant by Reimund of Chevelest[on] to William of Chevelest[on] of a ferling of land in Chevelest[on], [in Sidbury], less one acre at Langelond. The warranty is given *sicut cirograffum domini . . . regis testatur*, the name of the king having been clean cut out with a knife. Witnesses. [c. 1154.]

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2077.—Quitclaim by Walter abbat and the convent of Mucheln[ey], to Nicholas de Punsot and Avicia his wife, of a virgate of land called Seint Heleine in Childefroma, Dorset, saving their oratory there and the obventions thereof; in exchange for land at Kamel Rumare. Witness: Robert de Bello Campo, Henry de Ortiaco, William de Ludetoñ, Symon Sifrewast', and Roger de Coteleg, knights, and others named [c. 1240].*

1804.—Grant by bishop Robert [Warelwast] to Godwin, his predecessor's baker, of land at Tauton:

Robertus Dei gratia Exoniensis episcopus. Omnibus ad quos presens carta pervenerit. Salutem. Noverit universitas vestra quod nos ratam habemus et concedimus donationem illam quam bone memorie R. episcopus predecessor noster fecit Godwino pistori suo pro servitio suo, videlicet terram illam quam Algarus filius Birde tenuit in manerio meo de Tautona, que vocatur Ihurtescota, liberam et quietam ab omni servitio preter utibanna que per terram vadunt, dum ipse fuerit in servitio meo; et cum extra servitium meum fuerit, liberam et quietam ab omni servitio preter utibanna eam teneat omnibus diebus vite sue pro x solidis singulis annis persolvendis. Ut autem hec concessio rata et inconcussa permaneat, sigilli nostri impressione et testium subscriptorum attestacione corroboramus, videlicet magistri Bartholomei, Hugonis de Augo, Aluredi archidiaconorum, Willelmi prioris Bodmiñ, magistri Petri fratris episcopi, magistri Ioseph, Petri canonici Plimt', Iohannis capellani, Odonis de Nimet', Baldewini et Rannulfi clericorum episcopi, Philippi et Thome fratrum episcopi, Rogeri militis, Nicolai et Iohannis nepotum episcopi, Iordani de Scild', Walteri de Bikel', Ingeram, Edmundi, Roberti filii Ang', Roberti Hurel', Fered' pistoris, Iohannis de Chedehā, Reginaldi Gupil, Simonis de Pient', Dagulf de Taut'.

1155–1160. *Bishop's seal well preserved.*

282.—Letters of protection from bishop R[obert Warelwast†] for Walter prebendary of Exeter, and his possessions.

R. Dei gratia Exoniensis episcopus dilecto filio Waltero salutem et paternam benedictionem. Et equitatis ratio et paterna nos hortatur affectio devotos et humiles filios propensius fovere, et sua eis que in ecclesia in qua

* c. 1150, Catalogue.

† Oliver assigns this document to Bishop Robert Chichester, but since it is witnessed by Peter, the bishop's brother, who also appears in No. 1804, printed above, an unquestionable grant of Bishop Robert Warelwast, it is probable that the bishop in both cases is the same. Hence too the documents printed by Oliver, Bishop of Exeter, p. 17, n. 6 (dated 1155), Monasticon Dioecesis Exoniensis, pp. 40 seq., belong not to Robert Chichester but to his successor.

militerint meruerunt stipendia conservare. Eapropter, dilecte in Domino fili Waltere, devotionem tuam quam erga ecclesiam beati Petri, in qua honestissime militasti, habere dinosceris attendentes, personam tuam cum bonis tam ecclesiasticis quam mundanis que inpresenciarum legitime possides sub Dei [gratia*] et nostra protectione suscepimus et presentis scripti patrocinio communimus. In quibus hec duximus propriis exprimenda vocabulis. Prebendam videlicet tuam quam habes in ecclesia Exoniensi, ecclesiam de Tautona, duodecim marcas de archidiaconatu Exoniensi annuatim pro equis portionibus in quatuor terminis persolvendas, scilicet, in festo sancti Michaelis, in Natali Domini, in Pascha, in Natali beati Iohannis baptiste. Domos etiam tuas in fundo Exoniensis ecclesie sitas, quas propriis expensis edificasti, ut eis toto tempore vite tue tamquam propriis utaris, et cum tibi placuerit libere tibi liceat eas in cuiuscunque volueris transferre dominium, salvo iure Exoniensis ecclesie quod habet in solo in quo predice domus constructe sunt. Nulli ergo hominum fas sit personam tuam temere perturbare aut bona tua auferre seu minuere. Si quis autem hoc attemptaverit, sciat se in districto examine rationem redditurum. Huius concessionis et confirmationis testes sunt Iohannes decanus Cicestrensis, Hugo archidiaconus, Willelmus archidiaconus, Petrus frater episcopi, Ioseph, magister Ricardus.

[1155-1159.] Seriously injured and torn. *Printed* by Oliver, Bishops of Exeter, p. 408.

523.—Letters by R[obert Warelwast] bishop of Exeter, authorising the grant by Walter de Augo to Baldwin of Winchester of land in Exeter.

R. Dei gratia Exoniensis episcopus omnibus fidelibus ad quos presens carta pervenerit in Christo salutem. Notum sit vobis Walterum de Augo assensu et auctoritate mea dedisse et concessisse Bald[ewino] de Wintonia canonico ecclesie nostre partem terre illius quam de me in Exonia tenet idem Walterus, habentem scilicet xxviii. pedes in longitudine et xxxvi. in latitudine, contiguam ab oriente terre quam de me Bald[ewinus] tenet, iure hereditario possidendam ad census unius libre piperis per annum. Concessi etiam ut postquam Walterus sive vivens sive moriens a possessione predice terre ceciderit, Bald[ewinus] sive successores sui de me sive de successoribus meis ad eundem censum terram illam, sicut et reliquam quam ibi de me tenet idem Bald[ewinus], in cuius augmentum et hec data est, iure hereditario nullo mediante teneant. Quod ut ratum et inconcussum permaneat presentis scripti attestatione et sigilli mei impressione confirmavi. His testibus: Iohanne decano Cicestrie, Bartholomeo archidiacono Exonie, Ricardo Peccatore, Petro, Rogero de Sideberia, canonicis

Exonie; Iohanne, Rannulfo, Bald[wino] capellanis; Dean and
Chapter
of Exeter.
Tuberto presbitero, Radulfo avunculo Walteri de Augo,
Nicholao fratre eius, Nicholao capellano Cridit[onie].

[1155-1159.] *Fragment of seal.*

1374.—Grant by the canons of Exeter to the nuns of Polslo of a burial ground. 1 March 1159/60.

Hec est conventio inter canonicos ecclesie beati Petri Exonie et sanctimonialibus de Polslewe, videlicet quod canonici sanctimonialibus concesserunt inperpetuum cimiterium habere apud Polslewe, sibi et hospitibus sanctimonialibus sepeliendis, insuper et sacerdotibus suis, illis dumtaxat qui se illarum servicio in religionis habitu assensu Exoñ ecclesie inperpetuum devoverint et mancipaverint. Alium autem neminem ad sepeliendum omnino recipient de parrochianis Exoñ ecclesie, nec citra canonicorum assensum aliquam de parrochianis eorum sanam vel egram monachabunt. Decimas vero de predicto territorio et de aliis terris si quas postmodum adepti fuerint infra parrochiam canonicorum Exoñ ecclesie annuatim solvent. His testibus: Gisleberto canonico, Magistro Ranulfo, Magistro Baldewino, Magistro Ricardo, Ricardo de Dunestanvilla clericis episcopi, Magistro Algaro, Anschet[illo], Gisleberto, Galfrido Longo, Symone, Rogero de Fur[nellis], Rogero filio Edmundi, Willelmo Rufo, Roberto, Reginaldo, Hervico, Nicholao, Baldewino clericis chori, Nicholao Flandrensi, Ricardo Blund, Roberto Blund, Reginaldo de Dunestanvill[a], Davide de Wdeb', Reim[undo], Gisleberto Hiberñ, Iohanne Belesmains, Henrico Chepe, Reginaldo de sancto Leonardo scolariis, Willelmo de Heliun, Sem[aro] Tinemet', Rogero filio Sem[ari], Rodulfo, Willelmo preposito, Guncelino, Teobaldo filio Radulfi, Osb[erto] filio Algari, Willelmo filio Lambr[ic], Edwi de Lideford, Ricardo filio Estrang', Willelmo Sellario, Philippo filio Godwi, Waltero Hubold, Osb[erto] filio Lideñ, Baldewino filio Ulburg', Iohanne Flandrensi, Ranulfo filio Gill', Terrico Totoñ, Alm[aro] Atlech[e]g,* Azone Blund, Symone de sancto Symone, Nicholao filio Floer, Rogero Ocesewam, Iohanne Chepe, Rogero Pipun, civibus Exonie. Facta est quidem hec conventio anno ab incarnatione Domini m. c. lix. kalendis Martii, Adrian[o] pap[a] iii.†, Theobaldo Cantuariensi archiepiscopo sedis apostolice legato, Roberto Exoniensi episcopo ii, Henrico rege ii.

283.—Grant by the Chapter to William of Periton of land adjacent to the bishop's gate:

Notum sit tam futuris quam presentibus quod Capitulum sancti Petri Exonie concedit Willelmo de Peritona terram que adiacet porte episcopi in Exonia, cuius longitudo usque ad murum, latitudo vero extenditur usque ad terram

* The last two letters are uncertain owing to the parchment being frayed where it has been folded. *Ailmar Atlekin* is mentioned in No. 36 (early thirteenth century) as a former owner of houses in Exeter.

† For *iii*.

Willelmi filii Azonis, iure hereditario ipsi et heredibus eius tenendam, cum domibus et omnibus illis que superedificata et plantata sunt et omnibus denique pertinentiis suis. Ipse autem Willelmus et heredes eius post ipsum singulis annis ii. solidos, ad Natale Domini xii. denarios et alios xii. ad festum sancti Iohannis Baptiste, de ea prefato Capitulo persolvent. Quod ut ratum et immobile perseveret presentis scripti pagina et sigilli sui auctoritate confirmatum est, et subscriptorum testium astipulatione corroboratum est. Capituli videlicet magistri Algari, Willelmi filii Azonis, Anscetilli capellani, Galfridi Long', magistri Benedicti, Radulfi filii magistri Ern[esii], Iordani presbiteri, Galfridi de sancto Pancratio, Siwardi, Roberti de Braeñ, Warini Loher', Roberti cam', Willelmi Hoel prepositi, Willelmi filii Lambr[ic], Rogeri filii Sem[ari], Rodulfi fratris eius, Osberti filii Alg[ari], Willelmi de Palerñ, Willelmi Suchespic, Hemer' Cutech', Ailredi aurifabri, Henrici filii Richer', Reginaldi filii Rogeri, Radulfi vinitoris.

*Written in book hand.**

319.—Grant by Probushomo† son of Segar to the two saddlers, Richard and William, of land in St. Martin street, at a rent of 2s. 8d. Witness: Herbert son of Roger, Theobald merchant, Ailwar Leureke, William nephew, John son of Odo, Geoffrey saddler, Alfred Quinel‡, Walter son of Hemeri, Roger Burwine, and Joel his brother, Walter de Mausart, Richard taverner [*caupo*], Richard Maufet, William son of Thomas. [c. 1160.]

175.—Grant of a house in Priesten street.§

Sciant presentes et futuri quod ego Robertus Slihe dedi et concessi granto et concessu Sussanne uxoris mee Aluredo Tanur|| tenementum suum quod de me tenet in vico presbiterorum, tenendum sibi et heredibus suis de me et heredibus meis in feodum et hereditatem, libere et quiete, reddendo insuper per annum quatuor solidos ad quatuor terminos pro omni servitio: ad festum sancti Iohannis Baptiste xii. denarios, ad festum sancti Michaelis xii. denarios, ad Nativitatem Domini xii. denarios, ad Pascha xii. denarios. Et pro hoc meo concessu predictus Aluredus dedit mihi unum bezanscium et uxori mee vi. denarios. Testibus hiis: Iohanne filio Theobaldi et Herberto filio Rogeri tunc prepositis Exonie¶, Alwardo de Insula, Segaro de Insula, Herberto de Aqua, Deorlingno tanur, Iordano cordwaner, Aluredo pictore, Rogero de Karswilla, Willelmo Bula, Nicola Bonachosa, et Waltero fratre suo, Rogero medico, Ricardo filio Hugonis. Et Rogero nepoti meo dedit i. bezanscium.

* Dated in the Catalogue 'c. 1150,' but probably some years later.

† The name appears later as Prohume and Prodom.

‡ Both here and in No. 49 the name is clearly *Quinel* not *Quinel*.

§ Dated in the Catalogue 'temp. Hen. II. ?'

|| MS. *Tañ*.

¶ See Oliver, *History of the City of Exeter*, p. 226 (Exeter 1861), who considers the appointment of two provosts to date from the reign of John.

801.—Grant by bishop B[artholomew] of the church of Colbroc to the chapter of the church of Exeter *ad communionem canonicorum*, subject to an alms of 10s. a year to the brethren of the Hospital of Jerusalem and 20s. *ad luminaria Exoniensis ecclesie iuxta dispositionem episcopi et thesaurarii qui pro tempore erunt*. Witness : Hugh archdeacon, Peter archdeacon, John chanter, Bald[win] of Winchester, John Paz, Mr. Richard son of Reinf[rid], Roger of Sideb[eri], Philip de Furn[ellis], Robert de Furn[ellis], Richard Peccator, Walter son of Jocelin, Mr. Bald[win] son of Hugh, Mr. Robert filius Gille, Richard de Sar', Bald[win] Lambric, Mr. Robert de Anc, Mr. Roger de Baggat', Mr. Algar, Helias, Ascatill, Simon, Gilbert son of Walter, Geoffrey Long. [1162–1171.]

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802.—Notification by bishop B[artholomew] to king Henry [II] and others of a composition between himself and the chapter and Sir Alexander of Colebroch, who had claimed to grant the church of Colebroc to Walter prior and the brethren of the Hospital of Jerusalem,* whereas the advowson, as of a member of the manor of Cridiaton, belonged to the bishop; providing that the brethren should receive only 10s.† and that the remainder of its obventions with full right and possession should belong to the chapter of Exeter, *ad luminaria ecclesie et ad augmentum commune*, 20s. to each, *quia per hec duo scilicet per luminaria et per communam principaliter adimpletur servicium ecclesie Exon*.

1314.—Composition by bishop Bartholomew between the monastery of Ford and the church of Plympton touching land at Medenecumba :‡

B. Dei gratia episcopus Exoniensis omnibus fidelibus ad quos presens scriptura pervenerit salutem. Noverit universitas vestra quod cum verteretur controversia inter monasterium de Forda et ecclesiam de Plintona super virgata terre de Medenacumba. canonicis de Plintona eam possidentibus et monachis de Forda eam petentibus, presente Willelmo filio Stephani donatore eiusdem terre, in presentia nostra et auctoritate nostra inter predictum monasterium et memoratam ecclesiam huiusmodi facta est compositio. Ecclesia de Plintona predictam virgatam terre perpetuo iure tenebit, solvendo inde annuatim monasterio de Ford' quinque solidos ad festum sancti Michaelis. Hec compositio facta est anno incarnationis domini mclxviii apud Exoniam. His testibus Baldewino archdiacono, Willelmo de Saltem[ue], Roberto filio Gille, Baldewino filio Alb[ree], Rogero de Bagg', Roberto de Anc, Gervasio, Ricardo Peccatore, Thoma filio Ricardi, Baldewino Lambrinct,

* Cf. J. Delaville Le Roux, *Cartulaire général de l'Ordre des Hospitaliers de S. Jean de Jérusalem*, i. (Paris, 1894) pp. 120 seq. For the date see Round, in the *Archæologia*, lvi.

† This payment seems in time to have been transferred to another house of St. John in the diocese of Exeter which received, in the sixteenth century, from Colbroke a pension of 10s. : see the payment *custodi fraternitatis sancti Iohannis Baptiste de Boscomb in diocesi Exon. et successoribus suis de quadam annuali pensione exeunte de decima garba de Colbroke predicta per annum x^o* : Valor ecclesiasticus, ii. 294.

‡ Maidencombe, in Stoke-in-Teignhead : Oliver, *Monast.*, p. 137 n.

Willelmo Malet, Theobaldo filio Rogeri, canonicis Exonie, Rogero elemosinario, Iordano capellano Plint[one], et multis aliis.

1168. *Badly torn. Seal of the bishop, defaced. Printed from a copy among the city muniments by Oliver, Monasticon, p. 137 a, where several errors appear in the names of the witnesses.*

34.—Grant by Eustace son of Stephen *pro salute domini mei Henrici Regis et liberorum eius et salute anime mee et parentum meorum*, to the monastery of St. Mary at Ford, of certain land in the city of Exeter *que fuit Oswardi monetarii, quam videlicet dominus Rex Henricus mihi donavit liberam et quietam, sicut puram elemosinam.** Witness: Savaric de Vallibus, Jocelin de Winelam, Mr. Thomas de Winelam, William de Munstertona. [*Late twelfth century.*]

524.—Grant by the Chapter, setting out how, after that William Travers *in extremis* had made a will whereby he reserved to the Chapter the right of purchasing at a reduced price the land and house which he and his wife Alveva held of them in Exeter, or, in the event of their refusing, a premium on the sale of the same, the widow Alveva had married William of Raddon and jeopardized the ultimate interest of the Chapter. Wherefore the latter made a new grant of the land and house to the said William conditionally on his paying them a premium and an annual rent. Witness: Mr. Robert archdeacon of Totton, Mr. Roger archdeacon of Barnast[aple], Mr. Walter archdeacon of Cornwall, Mr. Robert de Anc, Baldwinus filius Albree, Payn chaplain, Turstin, Serlo, Peter son of Richard, Peter Picot, Alan of Furnell, Roger of Limesi, Baldwin Lambrie, Thomas son of Richard, William son of Wimumd, Guarin son of Semer, William son of Dirling, Lucas son of Anscatil, John Puth, Peter of Moltun, Richard de Hibernia, Walter Bussa, Simon son of Simon, Rand[ulf] son of Ilbert, Richard Dunnig, Ralph de Camera, Alfred *furbarius*, Andrew Leureca, Robert painter, John son of Odo, Philip goldsmith, Humphrey de Iauneto. [1171–1180.]

1559.—Grant by Reimund of Cheveston, in free marriage with his daughter, Helen, to Adam of St. Bride, of all his land at Cheveston, for five marks of silver, to hold of William de Sande for homage and a rent of 6s.; the grantor retaining for his life the use of one third part of the land with three houses with the lower chamber and a barn and bower and common use of the oven and garden. [*c. 1175.*]

1560.—Grant by Reimund, son of Ailwad' of Chevestun, with the consent of Alice his wife, to Adam of St. Bride, of two moieties of his land with his chief messuage in Chevestun, for five marks, and at a rent to the grantor of 8s. [*c. 1175.*]

1561.—Quitclaim by Reimund, son of Ailward of Chevelestun, with the consent of Alice his wife, to Adam of St. Bride, of two moieties of his land with his chief messuage at Chevelestun, for five marks and 2s., and at a rent to William de Sonde of 4s. [*c. 1175.*] Twenty other deeds (no. 1562–1581) carry down the history of the property at Cheveston through the reign of king Henry III.

* This grant was confirmed by Richard I., 16 Sept., 1189: Oliver, *Monast.*, p. 346 b.

2120.—Confirmation by king Henry II. of the grants made to the church of St. Mary de Valle and to the canons regular thereof, viz. : the grant by Goillen de Pomeria, with the consent of Emma his wife and their children. of the church of St. Mary de Valle ; of land and *bordarii* in the parish of St. Audomar with its church, &c. ; of the church of Angovill ; of the church of Bomel, &c. ; and of many other possessions ; and in England of the churches of Berey and Braord' (or Bravordin) and Clissowich, with tithes and many other possessions. Witness : Henry bishop of Bayeux, Mr. Walter of Coutances treasurer of Rouen, earl William of Mandevill, Maurice de Creon, Guy de Valle, William son of Ralph seneschal of Normandy, Humphrey de Bohun constable, Hugh de Creissi, Robert Marmiun, Hamo butler, William de Oscilleio, Martin de Hosa, Nigel de Moretem'. Apud Buron. [1178-1183.*] *Notarial transcript made at the abbey de Valle, 1289.*

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2063.—Confirmation by Peter Vivier to the abbey of St. Michael's Mount of land in Guernsey [?] granted to it by Godfrey Vivier. 1179.

Notum sit presentibus et futuris me Petrum Viuiet concessisse et hac carta mea confirmasse Deo et abbacie sancti Michaelis de monte et monachis ibidem Deo servientibus terram que est de feudo Baldoini Wac in Guenerreio, quam Godefridus Viuiet dedit eidem abbacie in perpetuam elemosinam concessu eiusdem Baldoini Vac et Pagani Viuiet et heredum meorum, scilicet quinque acras terre apud Herclinroche cum mansura Ricardi filii Willelmi de Rua, quas predictus Godefridus Viuiet tenuit iure hereditario, et pro ista conuentione tenenda dedit in predicta abbatia concessu heredum meorum .lx. solidos Andegauensium per manum Ricardi de Huiuilla.† Actum est hoc in curia domini regis in Guenerreio coram Gisleberto de Hoga tunc vicecomite, et quia sigillum non habebam, sigillo Gisleberti de Hoga vicecomitis consideratione et assensu amicorum meorum hanc cartam sigillari constitui. Anno ab incarnatione domini M°. C°. lx. decimo nono. Testibus Ricardo de Huiuilla priore de Valo, Petro de Valo, et Ricardo Malesarz sacerdote, Magistro March', Willelmo Viuiet, Petro de Belueier clericis, Willelmo camerario Baldoini Vac, Ricardo monacho, Hugone de Grencesiis, Gisleberto des Rouueis, Gisleberto Postel, Roberto de Haruelant, Willelmo de Hoga, Oliuer de Barneuilla, Willelmo preposito, Gisleberto preposito, Espiart. legato, Willelmo Viteclim, Roberto Malmarchie, Gisleberto Rossel, Gisleberto filio Roberti, Ricardo et Iordano Viuiet, Ricardo Viuiet, et multis aliis.

1179. *Seal of Gilbert de Hoga.*

* William fitzRalph became seneschal of Normandy in 1178 (Eyton, p. 222) and Walter of Coutances was elected bishop of Ely in 1183. The king was at Bur-le-Roy apparently in 1180 (Eyton, p. 235).

† Baldwin Wac's charter, confirming Geoffrey [apparently an erratum for Godfrey] Viver's grant to the abbey of Mont St. Michel of land of his fee, is described in Round's Calendar of Documents preserved in France, i. 273 ; where this Richard appears as Richard de Wivilla.

Dean and Chapter of Exeter. 163.—Grant by Geoffrey de Furnell of a rent of 2s. to the church of St. Peter at Exeter.*

Omnibus fidelibus ad quos presens scriptura pervenerit : Gaufridus de Furnell' salutem. Noverit universitas vestra quod ego pro Deo et pro anima patris mei Alani de Furnell, et pro salute mea et antecessorum ac successorum meorum in perpetuam elemosinam dedi ecclesie beati Petri Exonie et capitulo eiusdem ecclesie annuum redditum duorum solidorum de hereditate et terra mea, nominatim de illa quam Rogerus Puddig in vico aquilonali civitatis Exon' de me tenet. Hanc autem elemosinam et hunc redditum super maius altare ecclesie Exon' posui et optuli. Ipsum etiam Rogerum ante ipsum altare in manus magistri Bald[wini] filii Albree tunc senescalli et procuratoris predicti capitulo tradidi, et ad predictum redditum fideliter persolvendum assignavi, ita quod idem Rogerus fide corporaliter prestita tunc securitatem fecit, sicut et heredes eius facere debent, de hoc annuo redditu persolvendo fideliter : ita tamen quod canonici predictae ecclesie nichil ulterius querant de illo redditu nisi fiat per me et meos heredes. Quod ut stabile semper et firmum permaneat presenti scripto et sigilli mei appositione confirmavi. His testibus Rogero archidiacono Bardest', Roberto de Hanc, Turstino, Baldewino Lambric, Petro filio Ricardi, Petro Picot, Sorlone,† Alwerdo, Alano de Furnell', Henrico de Melewis, Osberto, Rogero de Limesi, Roberto de Ciestria canonicis ; Ricardo Peverel, Philippo de Furnell', Humfredo de Stures, Alwedro custode. Stephano clerico, Adam custode, Willelmo de Cridiaton', Rogero de Stoeheleg', Willelmo Rufo, et multis aliis.

Seal : a horseman with a drawn sword, countersealed with the small seal of Geoffrey de Furnellis.

255.—Grant by the Chapter, to Bartholomew son of Stephen their clerk, of land beyond south gate :

Omnibus fidelibus ad quos presens scriptum pervenerit Capitulum ecclesie beate Petri Exonie salutem in Christo Iesu. Noverit universitas vestra nos unanimiter concessisse Bartolomeo filio Stephani clerici nostri terram illam que fuit Andree filii Segari carnificis, extra portam australem iuxta viam que tendit ad Exam, quam pater suus de nobis tenuerat in liberum feudum de nobis tenendam, sibi et illis quos heredes inde constituere voluerit, reddendo annuatim duos solidos in duobus terminis, videlicet ad festum sancti Iohannis xii. d. et ad festum sancti Michaelis xii. d. : Ita quidem quod nec ipse Bartolomeus nec aliquis successorum suorum predictam terram ad aliam ecclesiam vel ad monasterium sive ad collegium poterit transferre, nec aliquem heredem inde instituere ad dampnum vel ad diminutionem iuris et redditus ecclesie nostre, nec eam alicui invadiare, aut aliter tradere sive alienare absque licentia et assensu nostro. Et ut hoc ratum et incon-

* Dated in the Catalogue 'c. 1180?'

† Sorlon' written over an erasure for Sorlone.

ussuem permaneat, presenti scripto et sigilli nostri ap-
 positione confirmavimus. Hiis testibus: Waltero archi-
 diacono Cornubie, Henrico Longo, Magistro Roberto de
 Hanc, Turstino, Ricardo Bruwere, Magistro Petro Picot,
 Alano, Ricardo, Henrico de Melewis, Serlo, Osberto,
 Rogero de Scaccis, Ricardo Bagator, Rogero de Stokelega,
 Willelmo de Cridit[on], Waltero Crichet, Rogero de sancto
 Iacobo, Iohanne Lambrecht, Waltero Cognato, Willelmo
 Sakespic.

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Seal imperfect: The cathedral church, with the legend: SIGILLUM
 SANCTI PETRI APOSTOLI [EXONIENSIS] ECCLESIE. Written in large
 bookhand. [c. 1180.]

380.—Grant by the Chapter to Geoffrey de Porticu of land of their
 fee *que fuit Aluredi Slug extra portam australem civitatis Exonie**
que vocatur Seotebroc. [Temp. Ric. I.] *Seal of the Chapter.*

379.—Grant by the Chapter, at the petition of Claricia and of
 William her husband, to Geoffrey son of Jordan, of a curtilage
 without the east gate on the east part of the church of St. Sidwell
 (*Sativola*) and the chapel of St. Michael. Witness, Mr. Ralph son
 of Aubrey, Mr. Robert de Anch, Payn (*Paganus*) chaplain, Ralph de
 Columstoke, Turstin, Mr. Peter Picot, Thomas, Peter son of Richard,
 Henry de Melewis, Mr. Alfred, Serlo, Alan, Osbert, canons; Herebert
 provost, Ancatil son of Ivelin, Richard Fattecoul, Ailward Ruffus,
 Jordan Besternebase, Stephen supra Hillam,† Stephen Piccarel.
 [Temp. Ric. I.] *Seal of the Chapter.*

814.—Notification by bishop J[ohn] of a composition terminating
 a suit between the church of Culinton and the brethren of Forwud':

Venerabilis filius noster W.‡ abbas Bucfest' ad nos veniens
 literas sigillo suo et sigillo W. abbatis Strafford' signatas
 attulit in hec verba: Reverendo patri domino I. Dei
 gratia Exoniensi episcopo frater W. Straford et frater
 W. Bucf. dicti abbates salutem in salutis Autore. Missi
 a domino Savigniensi venimus nuper Quarrer' visitationis
 gratia. Suggestum est autem nobis inter cetera de lite
 que est inter monachos ipsos et personam ecclesie de Culin-
 t[on] pro compositione infracta que olim facta fuerat super
 capellam de Forwud' inter abbatem Quarr' et Petrum
 archidiaconum Cornubie; et quia pro certo didiscimus
 quod preter assensum et consilium conventus Quarr'
 gestum est super hiis quicquid hactenus factum est, decer-
 nimus et ipsis monachis qui adhuc abbatis carent regimine
 in preceptis dedimus ut omni contentione sopita compositio
 rata et firma permaneat sicut olim cognoscitur facta.
 Bene valete.

The terms of the composition follow. [1186-1190.]

* This has been read as East Gate in the Catalogue, so that the document has
 been wrongly classified. In Hooker's map the Shittebrooke runs from the
high way without east gate and passes the *high streete* towards the *Maudlyn* just
 west of the latter and between it and south gate: see An original Manuscript of
 John Hooker, edited by H. E. Reynolds (s. l. aut a.). Hence in No. 382, of the
 second quarter of the thirteenth century, a tenement in *Sutebrocstrete* is correctly
 described as lying *extra portam orientalem*, because the brook ran from near the
 one gate to near the other.

† In No. 380 he is *Stephen Supra Montem*.

‡ W. inserted above the line.

287.—Quitclaim by Hugo and John heirs of William of Piritun to Walter archdeacon of Cornwall of the land described above (No. 283):

No:um sit presentibus et futuris quod ego Hugo de Pirituñ et Iohannes frater meus heredes Willelmi de Pirituñ inter quatuor scanna Gilhalle Civitatis Exonie omne ius quod habuimus vel habere vendicavimus in terra et domibus cum pertinentiis omnibus, que site sunt iuxta portam domini Episcopi in Exonia, in perpetuum quietum clamavimus Waltero archidiacono Cornubiensi et cui eas dare vel assignare voluerit pro viginti marcis, unde nobis satisfecit. Et ad hoc fideiite: observandum fidei interpositione, uterque nostrum tenetur astrictus. Et in huius rei testimonium huic scripto sigilla nostra apposuimus. Valet.

[Late twelfth century.]

289.—Notification by the citizens of Exeter of the sale by Hugh de la Hesle, *in presentia nostra inter quatuor scanna Gwilhalli: nostre*, to Walter archdeacon of Cornwall of the land and houses formerly belonging to William of Pirituñ next the court of the lord bishop in Exeter, and of the quitclaim set out above (No. 287). [Late twelfth century.]

610.—Grant by bishop John, to the Chapter, of the church of Asp[er]neton, saving to the nuns of Polslowe their yearly pension granted and confirmed to them by bishop Bartholomew. Witness: Walter archdeacon of Cornwall, Roger archdeacon of Bernestapel', Henry of London, Mr. Reginald, Walter, Henry, Richard, chaplains; Mr. William and Mr. Miles clerks, William* Lumbard, Robert Walensis, Alfred *custos*, Stephen and Walter clerks, and others. [1186–1191.] Printed by Oliver, Bishops of Exeter, pp. 412 seq.

611.—Grant by the Chapter of Exeter to Richard Briwerre, who had been admitted at the desire of bishop John *ad commune nostre participationem et in plenam fraternitatis et societatis gratiam*, of the whole emolument which they had from the church of Aspernatuñ, namely, 20s., and of whatever *amelioratio* he could procure from that church, subject to a payment of 1 lb. of incense on the vigil of SS. Peter and Paul; until he should be admitted to full commons (*plenaria communia in ecclesia*), when the said pension should cease. Witness: Walter archdeacon of Cornwall, Thomas precentor, Mr. Bald[win], Pat[rick] chaplains, Mr. Robert de Anch, William Lumbard, Henry clerk of Bir, Mr. Ancatill, Richard Musard. [1186–1191.]

1398.—Grant by bishop John to the church of Exeter, *ad commune meliorationem et servicii sustentationem*, of the church of Egloscruc in Cornwall, in his manor of Polton; in such wise however as not to enlarge the number of the prebends. Witness: Walter archdeacon of Cornwall, Thomas archdeacon of Barnastapol, Mr. John treasurer, Bernard precentor, Mr. Baldwin, Payn chaplain, Ralph de Hospitali, Mr. Robert de Hanca, Richard Briwerre, Turstin,

* This name is doubtful, the parchment being torn and the writing almost entirely perished.

Peter Picot, Peter son of Richard, Alan de Furnell'. [1186-1191.] *Seal of the bishop, countersealed with his secretum, imperfect.* Printed by Oliver, Bishops of Exeter, p. 412. Dean and
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810.—Settlement by J[ohn] abbat of Ford and R. of Cherbourg [*de Cesaris burgo*] prior of Axemue,* acting under a mandate from H[ubert] archbishop of Canterbury, of a dispute concerning a payment said to be due by Gilbert, chaplain to Master Michael, from a certain portion of the church of Culigtun which is called Munchot[on]. Gilbert acknowledges that he has no right to detain the money. Witness: William of Cerde, Mr. Roger of Winesh[am], Richard chaplain of Whitcherliche, Roger dean of Hunewille, Ailmar de Sete, Alexander of Culitun, Ivo de Atri, and others. [1193-1205.]

811.—Mandate from archbishop H[ubert] to the same ordering them, if they find that Gilbert chaplain, now of Cottel', persists, against his agreement, in refusing payment to Mr. Michael de Bucketoñ, to impose silence and inflict canonical punishment upon him.

812.—Settlement by J[ohn] abbat of Ford, Mr. R. chancellor, and A. succentor of Wells, papal delegates in a suit between J[ohn] archdeacon of Exeter and Mr. Michael of Buketoñ touching the liberty of the church of Colinton and the archdeacon's jurisdiction. The archdeacon by his proctor, remitted the annual 4s. which he claimed from Mr. Michael, *pro personali concordia inter ipsos composita super vicariam et libertatem et archidiaconalem iurisdictionem ecclesie de Colinton.*

813.—Settlement by J[ohn] abbat of Ford and R. prior of Axemue, under the second mandate of archbishop Hubert, *tunc temporis apostolice sedis legati*, in the church of St. Mary, Axeministr', of the above mentioned dispute between Mr. M. de Bukint' and G. priest of Cotteleg'; reciting that after the first suit the said G. brought an action by papal letters against M. before J. archdeacon and J. treasurer of Exeter and Mr. A. de Talet', whereupon M. impetrated letters from the archbishop, by whose authority the delegates should enjoin punishment on him. G. once more acknowledges that he has no right in the portion he claimed and promises gladly to submit to punishment. Witnesses, and strips for five seals. [1195-1205.]

290.—Grant by Geoffrey Picot, with the assent of Thomas his son and heir, to Henry bishop of Exeter and his successors, of his land *in vico de Langedich que iacet inter Capellam eiusdem Episcopi et terram Rogeri Enganet in latitudine et inter Langedich et terram que fuit Roberti del Broch' in longitudine.* For which concession the bishop paid to the grantor *in gersumam* ten marks of silver, to his knight Simon one mark, and to his wife and son three pieces of gold (*aurei*). Witness: Master Jocelin of the Exchequer, John of Hlega, Engeram' of Raddoñ, Roger Enganet, Master H. of Warwick', Roger of Limes', Henry of Eling, William of Tauton, Serlon chaplain, and others. [1194-1206.]

* Oliver denied the existence of a priory at Axmouth (Monast. p. 320 n.), but afterwards discovered a prior R. in the thirteenth century (*ibid.*, addit. suppl., p. 28).

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817.—Composition by H[enry] bishop of Exeter in a dispute respecting the chapel of Schieta [Shute]. Service is to be provided in the chapel once a day only, save on St. Andrew's day, when the parishioners are bound to attend the church of Culinton, to which further they are to pay 10s. a year. Witness: Henry de Melew[is], Mr. Hugh de Wilt[on], and William de Taut[on], canons of Exeter; Mr. W. Paz, Walter clerk, Guy of Daggeville, Richard de Luci, Henri of Merih[am], William chaplain, and others. [1194-1206.]

2078.—Notification by the Chapter,

Viginti fratres civitatis Exonie et fratres kalendarios totum ius quod in capella beati Petri parva et in capella beati Pauli habere videbantur ecclesie nostre et nobis cum omnibus earundem pertinentiis absolute et integre resignasse, et easdem ecclesie nostre et nobis concessisse libere et quiete in perpetuum possidendas. Nos vero nolentes elemosinas que a predictis fratribus fieri solent in aliquo mutuari vel diminui, ad sustentationem et augmentationem fraternitatis predictorum, de communia nostra concedimus prefatis fratribus et eorum successoribus octo solidos annuatim percipiendos in perpetuum. . . . Et preterea predicti fratres et eorum successores de domo que fuit Quarini de Louerench per manum nostram vel procuratorum nostrorum duos solidos percipient annuatim. . . . Ad hoc etiam concedimus quod prefati fratres et eorum successores servitium kalende sue in capella sancte Marie maiori benigne et sine reclamacione in perpetuum faciant. Hiis testibus: magistro Waltero, Henrico archidiaconis, cantore, Willelmo de Sundoñ, magistro Aluredo, magistro Henrico, magistro Hugone, Ricardo filio Dreugonis, Alano de Furnell', magistro de Miloñ, Ricardo de Bagatore, Serlone, Rogero de Scaccario, Willelmo de Tautoñ, canonicis, Roberto de sancto Laurentio, Rogero capellano, Nicolao, Ricardo, Reginaldo, et multis aliis.

[c. 1200.*]

1557.—Exchange between the Chapter of Exeter and William Tril, whereby the latter quitclaims to them his land at Buckaduñ and in the demesne of Sideberi, and the Chapter grant him a ferling of land in Haracumb'-sub-via and also half a ferling of land at Haracumb', *adeo libere et quiete tenendos sicut ceteri frankelani eiusdem manerii tenent*. Witness: William P[er]jer, Peter of Otri, Walter de Aqua, Richard clerk, Roger of Lastañ, Walter P[er]jer, Walter clerk, Alfred of Pafford, William servant of Sideberi, and others. [c. 1200 or a little earlier.†]

286.—Covenant between Henry de Melewis and Peter son of William son of Wim[und], whereby the latter grants to the former certain land and houses at a rent of 8s. a year; *ita quidem quod memoratus H. ipsum P. versus Capitulum beati Petri Exonie de quatuor solidis per annum et Capellam sancte Fidis de duobus cereis acquietabit*. Witness: Walter archdeacon of Cornwall, Richard his brother, William of Teinton, Robert Dacus, John Welshman

* Dated in the Catalogue ' ? c. 1150.

† Dated in the Catalogue ' ? c. 1150.'

(*Walensi*), Roger of St. James, William Tril, Walter of Norton, Richard his brother, Alfred of Pafford, William of Brittistan, Adam, William, and others. [c. 1200.*] Dean and
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291.—Grant by John Long son of Walter, to William Prohume clerk, of land and houses in St. Martin's street, Exeter, at a rent of 6s. 8d., and of that rent to the hospital of St. John near the east gate; the grantor receiving 45 marks and a gold ring with a sapphire. Witness: Walter de Aqua priest, Geoffrey son of Terric clerk, William son of Rouf provost, Robert Borun, Martin Prohume, Jordan son of Terric, William Hastement, Martin clerk, William of Corteford, Henry the grantor's servant, Samson, Richard Barun, and others. [c. 1200.† The writing is much perished.]

378.—Grant by Roger le Poher *ad luminare altaris beate Marie in maiori ecclesia Exonie*, in pure and perpetual alms, of a tenement without the east gate, saving a yearly rent of 8d. *Pro hac autem mea concessione et donacione Walterus filius Turberti dedit mihi dimidiam marcam argenti. Hanc autem donacionem et concessionem meam ego Rogerus le Poher obtuli super prefatum altare beate Marie Virginis.* Witness: Walter archdeacon of Cornwall, Henry de Melewis, Richard son of Drogo, William of Swindon steward, Mr. Alfred Perer, Richard de Baggatore, Alan de Furnell[is], William Rouf provost, William Durling, Roger Baubi, Gervase le Mercer, Walter Turbern steward of the guild merchant† (*seneschallo de Guilla marcand'*), Peter de Otri, John de Tala, Martin Prodome, Mr. William Paz, William le Danais, John Clerk, Richard Picot clerk, and others. [c. 1200.]

911.—Grant by Roger de Limesia, canon of Exeter, to Thomas Maskerel, of half a virgate of land in the manor of Douelis [Dawlish] called Douelisford. *Liberavi etiam eidem Thome cartam quam Adam de Douelisford mihi fecit de eadem terra cum omni iure quod habui vel habere potui in illa et etiam cartam Capituli quam idem Adam habuit de eadem terra et mihi liberavit.* [c. 1200.]

2080.—Confirmation by King John of the possessions and rights of the church of Exeter. York: 26 March a. 1 [1200]. *Printed in Rotuli Chartarum*, i. 40.

667.—Grant by William de Blakeburge to the church of St. Mary of Bokerel of *unam peciam terre ad pedes terre sue de Morvorlange iuxta terram dicte ecclesie* in frank almoign. Witness: Henry de la Pomeray, William de Coleheg', William Hamelin, Geoffrey Tholoîn, Philip Siward, Roger de Blakeburg', Robert de Wadeheg', Richard de Kockincheg', Reginald de Aulescumb', and others. [c. 1200, or possibly a little later.]

1397.—Composition between bishop H[enry Marshal] and J. prior and the convent of Plinton concerning tithes at St. Gerent.

* Dated in the Catal. '1150-1154.'

† The history of the foundation of St. John's Hospital (Oliver, *Monasticon*, p. 302), which was composed certainly after the middle of the fourteenth century, places it about 1240. Oliver (p. 300) carries it back some twenty years; but the handwriting and the witnesses of the present deed show that the hospital must have been in existence another twenty years earlier.

‡ Dr. C. Gross found no trace of this institution at Exeter earlier than the reign of Henry VIII.: *The Gild Merchant* ii. 86; cf. i. 21 n. 5.

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Witness : Ang' prior of St. German, Mr. Hugh of Warw[ick], Mr. H. of Wil[ton] canons of Exeter, Robert of Ilstinton canon of Plinton, Mr. William Paz, Serlo chaplain, Mr. G. de Sutt[on], John of Gloec[ester], Gilbert clerk. St. German's : 8 July, a. pontif. 9. [1202.]

2082.—Grant by bishop H[enry] to the church of St. Peter, Exeter, of a pension of 43s. charged on the church of St. Just de Lanioc, *ad ministrandum cum duobus thuribulis incensum in maioris misse celebratione singulis diebus*. Witness : G. archdeacon of Cornwall, H. archdeacon of Exeter ; Mr. Alfred, A[nselm] treasurer, W. de Svindon, Mr. H. de Warwick, Richard son of Drooz, Alan de Furnel[is], Mr. Miles, canons ; and others. 18 May a. pontif. 11. [1204.]

1129.—Grant by bishop H[enry Marshal] to the church of St. Peter, Exeter, *ad eius reparationem*, of two marks of silver yearly from the church of Lanuthinoc. Witness, G. archdeacon of Cornwall and H. of Exeter, A. treasurer, W. de Svind[on], Mr. Alfred, Mr. H. de Warwick', Richard son of Drogo, Alan de Furn[ellis], Mr. Miles, Mr. Ysaac, and others. 24 May, a. pont. 11. [1204.*] Printed by Oliver, Bishops of Exeter (pp. 413 seq.).

2081.—Confirmation by bishop H[enry] of the grant made by J. abbat and the convent of Mount St. Michael in peril of the Sea, to Mr. Roger chancellor of Wells, of a pension which they used to receive from the altar *de Sithemug'* [Sidmouth]. 3 March, a. pontif. 12. [1205-6.†] Printed in Oliver's Monasticon, p. 254.

1831-1834.—Quitclaims by William Briwerr, Ralph Burnel, Robert Burnel, and Baldwin de Molendino, to the monastery of Marmoutier, of lands at Torverton and Westcote. The first names King John ; the second, the 14th year of his reign : the others are of nearly the same date.

527.—Grant by Roger de Hibernia *ad luminare altaris beate Marie in mxiori ecclesia Exonie sedecim nummatus redditus quem Emma filia Hereberti mihi de quadam terra in vico Grobbi reddere consuevit* ; for which grant the said church paid him 18s. *in recognitionem*. Witness : John Welshman [Walensis], Richard son of Payn, Peter Wimundi, Walter de Aqua, Geoffrey of Dertington, Roger de Turri, Peter of St. John, William Dacus, Walter Thurb[er]ni, Roger Baubi, Baldwin Piper, William Corbnes, Reginald spicer, John Cola, Philip de Sede, and others. [Beginning of thirteenth cent.]

5301.—Grant by Jordan abbat and the convent of Mont St. Michel, to H. bishop of Exeter, of the church of Woodbury. [1205.‡]

Omnibus Christi fidelibus ad quos presens scriptum pervenerit I[ordanus] miseratione divina abbas et conventus de monte sancti Michaelis in periculo maris salutem in domino. Noverit universitas vestra quod nos unanimi consensu concessimus et in perpetuam elemosinam donavimus venerabili patri nostro H. Exoniensi episcopo et eius

* Oliver inadvertently dates this charter 1203 (Bishops of Exeter, p. 30).

† The precise date of Bishop Henry Marshall's consecration in 1194 is uncertain : See Stubbs's Registrum, p. 52. The document is dated ' ? 1203 ' in the Catalogue.

‡ Thus dated by Mr. Round, Calendar of Documents, France, i. 279.

successoribus episcopis Exoniensibus et ecclesie beati Petri Exonie ecclesiam de Wddebir' cum omnibus pertinentiis suis et quicquid iuris in ea habuimus, ut idem episcopus et eius successores episcopi Exonienses liberam et plenam in perpetuum habeant potestatem conferendi ecclesiam illam cui voluerint et disponendi de ea et de omnibus ad eam pertinentibus prout voluerint. Ut igitur hec concessio et donatis nostra perpetuis temporibus rata et inconcussa permaneat, eam presenti scripto et sigillorum nostrorum apositione confirmavimus. Hiis testibus G. et H. Cornubie et Exonie archidiaconis, Ans[elmo] thesaurario Exonie, magistro Aluredo, Willelmo de Svindoñ, magistro Henrico, magistro Hugone, magistro Milone, magistro Ysaac, Rogero canonicis Exonie.

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2.—Grant by Ivo le Dispenser with the assent of his heirs to Bartholomew Boschet of land at Bilebiri at Exeter, between the land which had belonged to William de Moltona and the land of Ralph of Rouen and the land of Roger de Ibernica and the grantor's land which ran towards Currestret, at a rent of 18*d.* sterling; for which grant the said Bartholomew gave the grantor half a sexstary of wine in recognition. Witness: Gilbert Bochet provost of Exeter, Martin Prodome, Eustace son of Herbert, Jordan Lidena, Roger Lidena, John Spowa, John Caperun, Jocelin Sloya, Martin Durling, Walter Burnel, Reginald son of Warin, Semar his brother, and others. [In bookhand. *Before* 1206.] *Seal*: a key in pale, wards in chief.*

4.—Grant by John de Mouton to Bartholomew Boschet of his father William's land and houses near the house of John Pudding on the east side and the land called Bilebir' on the west, at a yearly rent of half a mark of silver; of which half-mark the grantor is bound to pay 2*s.* yearly to the heirs of Guarin son of Somar. For this grant the said Bartholomew paid 40 marks of silver *in recognitionem ad acquietandam hereditatem meam et heredum meorum que invadiata fuit Iudeis. Dedit etiam predictus Bartholomeus filiabus meis, Pauline unum annulum aureum et Anastasie unum firmaculum aureum in recognitionem.* Witness: Edmar de Mouton, Martin Prodome, Jordan Terri, Samson, Walter Thurberni, Gilbert Boschet, William Hastement, Jordan Lidene, William Derling provost, and others. [*Before* 1206.†] *Seal*, a hippogryphon.

3.—Another deed of the same tenour and with the same witness, but omitting the bond to pay 2*s.* to the heirs of Guarin son of Somar. [*Before* 1206.] *Seal*, a hippogryphon.

284.—Grant by Walter archdeacon of Cornwall to Richard his brother, of the land and houses formerly belonging to Henry archdeacon of Exeter beside the bishop's gate, for his life, subject to the rent of 2*s.* reserved by the earlier grant (No. 283); with reversion to the donor if the donee should predecease him, unless it shall have been otherwise agreed between them. *Facta est autem hec mea*

* This document, which is dated in the Catalogue 'c. 1250,' appears to be a little earlier than Nos. 3 and 4. Nos. 2 and 3 are attached together by a strip of parchment round the strings that hold the seals.

† Dated in Catalogue '1250.'

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donatio inter quatuor scanna Guiallie Exonie, anno regis Iohannis decimo. In cuius testimonium appositum est sigillum commune civitatis Exonie huic presenti scripto, simul cum sigillo meo.* Witness : William Dorling mayor, William Hastement and Philip Belebuche provosts, Martin Prudume, Jordan son of Terric, Roger Baubi, Walter Turebern, Gervase the merchant, Roger son of Henry, John Caperun, Richard Wallerand, Nicholas Gervasii, Eustace son of Herebert, Richard Thori, John the scribe, William the clerk, Roger of St. James and others. [1208-9.†] *Seal* only of the archdeacon preserved, defective.

288.—Grant by Richard son of Drogo to his brother G. archdeacon of Cornwall of the reversion set out in No. 284. [1208-9.†]

285.—Grant by Walter archdeacon of Cornwall to his nephew Bartholomew de Wadeton', clerk, of the land and houses formerly belonging to Henry archdeacon of Exeter beside the bishop's gate for his life, subject to the rent of 2s. reserved by the earlier grant (No. 283); with reversion to the donor if the donee should predecease him. Witness : Drogo de Bocumb', William his brother, Martin de Fisacre, Hervey dean of Penweth, Stephen de Sanrig', Roger of St. James, Roger de Trelos, Gervase, Robert de Bromhille, Thomas and Sampson clerks, John chaplain, and others.‡ Archdeacon Walter's *seal* imperfect.

293.—Grant by Walter son of Drogo, archdeacon of Cornwall, to Bartholomew de Wadeton' of the land, &c., described above, subject to a rent of 6s. yearly to the Chapter. Witness : William Derling mayor, Philip Belebuch and John Punding provosts, Walter Turbern, William Hastement, Roger son of Henry, Roger Baubi, Samson, John Caperun, Gilbert Boschet, Nicholas Gervasii, Bartholomew Piper, Richard Walerant, Roger of St. James, and others. [c. 1209-1216.] *Seal* of the City, fairly preserved.

2125 a.—Mandate by Innocent [III.] to the Chapter to elect a bishop. 12 Jan. 1208/9.

Cum certa sunt tempora constituta ultra que non debent ecclesie pastoribus destitute vacare, carissimus in Christo filius noster . illustris rex Anglie, quod dolentes dicimus, prevaricationi prevaricationem addendo facit, prout dicitur, ordinationem earum in regno suo vacantium ultra quam liceat prorogari, ut sic forsan earundem proventus possit occasionaliter vendicare, quoadusque de personis que sibi placeant ordinentur, sperans maiorem a nobis gratiam, ut videtur, multiplicatis excessibus extorquere, cum potius contra quemlibet, quantumcumque nobis sit carus, iniurias ecclesie Dei tam perseveranter prosequi disponamus, ut nulla supplicatione seu rebellione, donec ipse a persecutione desistat vel in ea defecerit, convertamur. Quia igitur quantumcumque regem ipsum in Domino diligamus et suo velimus honori deferre, pro rege terreno celestem

* This formula recurs, e.g., in No. 37 (below, p. 67), 39, 42 (a. 31 Hen. III.), 43, 45.

† Dated in the Catalogue 1148.

‡ Dated in the Catalogue '1186-1191.'

§ Probably a little later than No. 284; dated in the Catalogue '1156?'

regem offendere non debemus, eundem nostris litteris monemus attentius et hortamur, ut non impediatur nec per suos impediri permittatur, quominus tam cathedrales quam regulares ecclesie sic vacantes personas idoneas per electionem liberam et canonicam sibi preficiant in pastores. Quocirca universitati vestre per apostolica scripta precipiendo mandamus, quatinus convenientes in unum invocata gratia sancti Spiritus personam idoneam que tanto congruat oneri et honori per electionem canonicam in pastorem vobis preficere studeatis. Alioquin nos vobis cum divino consilio et auxilio secundum officii nostri debitum talem curabimus in pastorem preficere, qui vobis preesse valeat et prodesse, pro nulla iniusticie violentia prosecutioni iusticie defuturi; et inobedientiam vestram digna pena curabimus, auctore Domino, castigare. Datum Laterani ii Id. Ianuarii pontificatus nostri anno undecimo.

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Printed in Innocent. III. Regesta xi. 213 (Migne's Patrol. Lat. ccxv. 1529); No. 3607 in Potthast's Regesta Pontificum Romanorum.

2513.—Grant by Peter de Palerna of a rent of 28*d.* to 28 chapels in Exeter. [1209–1215.]

Sciant presentes et futuri quod ego Petrus de Palerna assensu Ysabel uxoris mee et heredum meorum concessi et dedi redditum viginti octo denariorum de malnagio quod Stephanus Walensis tenet, quod est inter terram que fuit Baldw[ini] Buliuent et terram Radulfi Helffrensis, viginti octo kapellis subscriptis, scilicet, beate Satiuole, sancti Bartholomei, sancti Stephani, sancti Martini, sancti Petri magni, sancte Marie magne, sancte Marie parue, sancti Petri parui, sancti Petroci, sancti Iacobi, sancte Trinitatis, sancte Marie Magdalene, sancti Leonardi, sancti Georgii, sancti Iohannis, sancti Edwardi, sancti Eadmundi, sancti Thome, Omnium Sanctorum, sancti Olai, sancte Marie, sancti Cudberti, sancti Kierani, sancti Pancratii, sancti Pauli, sancte Trinitatis, Omnium Sanctorum, sancti Laurentii: eisdem capellis inperpetuum percipiendum et habendum. Ita quod predictus Stephanus et heredes sui iam dictum redditum capellano de sancto Laurentio, qui pro tempore fuerit, tamquam procuratori, [quem*] ad eundem redditum prefatis capellis distribuendum constituo, annuatim persolvent in duobus terminis, ad vincula sancti Petri et ad purificationem beate Marie. Capellanus autem de sancto Laurentio qui pro tempore fuerit pro onere procurationis sue et labore releuium de predicta terra quando contigerit percipiet; et idem capellanus de sancto Laurentio prefatum redditum predictis capellis ad anniuersarium meum et uxoris mee Ysabel faciendum et memoriam antecessorum et successorum meorum fideliter annuatim persoluet in crastino sancti Blasii. Et ut hec donatio firma permaneat, eam presenti scripto et sigilli mei appositione confirmaui. Hiis testibus Eudone de

* Omitted in the original.

Bello campo tunc vicecomite, Willelmo Dirling tunc maiore, Rogero filio Henrici et Nicholao Geruano tunc prepositis, Waltero Turb[erto], Willelmo Hastem[en]t, Rogero Baubi, Laurentio cissore, Willelmo Bure, Roberto pictore, Erneisio Breteuilein, et multis aliis. *Seal*.*

297.—Notification by Walter archdeacon of Cornwall that he had seised and invested Bartholomew de Wadeton of and with the land, &c., described in no. 293, by the delivery of that charter on the same day between the four benches of the guildhall, and afterwards of the gate and keys of the land and houses, and of the doors. Witness : Henry archdeacon of Exeter, William Derling mayor, Philip Belebuche and Gilbert Boschet provosts, and many others (nearly as in no. 293). [c. 1210–1216.]

2064.—Agreement between the priory of St. Nicholas at Exeter and Morinus of Bradeham, and the priory of Otrintun, concerning the wood of Būddeghe. 1212. *Seals* of St. Nicolas' church and of Morinus. *Printed* from the duplicate in the city archives in Oliver's Monasticon, p. 122.

816.—Settlement by the abbat of St. Augustin's, Bristol, the prior of St. James', and the dean of Bristol, delegates under a commission of Innocent III. (Lateran : 7 May, a. pontif. 15 [1213]), of a petition of the rector of Culinton against the archdeacon of Exeter and others of the diocese, with respect to his rights to the chapel of Legh ; which is here recognised. [1213–1216.]

815.—Report by J. abbat of St. Augustin's, Bristol, and his co-delegates, to S[imon], bishop of Exeter, of the settlement in no. 816. [1214–16].

1830.—Grant by bishop Simon to the brethren of the greater monastery at Tours (Marmoutier) of a pension of 4 marks of silver charged on the church of Turverton. 1216.

295 & 296.—The counterparts of an indenture witnessing the grant by Bartholomew of Wadeton', clerk, to Simon archdeacon of Cornwall, nephew of S[imon] bishop of Exeter, of land which formerly belonged to Walter archdeacon of Cornwall, extending from the street before the bishop's gate next his court as far as the wall of the city, for 103½ marks of silver and a yearly rent of 6s.

Reservavit autem idem Bartholomeus in usum suum et mansionem propriam sibi et successoribus suis vel cui assignaverit in perpetuum quandam terram cum domibus ab eodem constructis in eodem feodo ; scilicet, terram illam cum domibus que extenduntur iuxta domos prioris et conventus de Plimt[on] usque ad magnum vicum ex una parte, et a domibus illis cum muro lapideo iuxta vicum usque ad murum qui linealiter extenditur ad magnam aulam quam Walterus archidiaconus Cornubie construxit : Reservato ipsi Bartholomeo et eius successoribus in perpetuum eodem muro in integrum, ita quod ipse Bartholomeus et successores sui illum sustentabunt et cum necesse fuerit reparabunt. Murus etiam ille lapideus qui extenditur a magna aula

* This deed was presented to the Dean and Chapter by Winslow Jones, esquire, in 1887.

quam Walterus archidiaconus Cornubie construxit et in parte sustentat capellam sancte Redegundis, et extenditur usque ad cloacam que aliquando fuit ipsius Walteri archidiaconi Cornubie communis debet esse utrique illorum et eorum successoribus. Dean and Chapter of Exeter.

Witness: S. bishop of Exeter, Henry archdeacon of Exeter, Serlo archdeacon of Totton, Mr. Hugh archdeacon of Tant[on], Mr. Isaac, Mr. John, Mr. Henry of Warewic, Mr. Roger of Didesham, Roger Cole, Mr. Lawrence, Mr. William of Torrinf[on], Walter Turban mayor of Exeter, William Derline, Roger son of Henry, Nicholas Gervasii, John T[ur]berti, Philip Belebuche, Walter Chaue, Gordan Ledene. In book hand. [1216-1219.] No. 296 retains the *seal* of the Chapter.

298.—Deed of sale by Walter son of Peter the saddler, to Mr. John de Kient' canon of Exeter, of land in St. Martin street, charged with yearly payments of 4s. 4d. to the hospital of St. John at East Gate and 2s. to the Chapter of St. Peter's. Witness: Henry archdeacon of Exeter, Mr. Hugh archdeacon of Taunton; Mr. Henry of Warewic, William of Swindon, Mr. Ysaac, Mr. Lawrence, canons of Exeter; Mr. William de Lingiure, Philip clerk, Walter Turberti, Walter Chawe, Roger son of Henry; John Straggan and Jordan Lidenam provosts. [Written in book hand by the scribe of No. 295 and 296, at nearly the same date.]

299.—Another copy of the same in court hand, omitting the names of the provosts at the end of the subscriptions. This too was once sealed.

2079.—Grant by the *fratres hospitalis quod situm est retro monasterium sancti Nicholai Exonie*, with the assent of Walter Thurbern and John Caperun, their wardens and masters, to Edith of Chepintaut', of a house in Exeter. [c. 1220.*]

2087.—Confirmation by Honorius [III.] of the possessions of the Chapter of Exeter, and specially of the grant by bishop H[enry], of good memory, of the church of Culinton. Lateran: 18 Dec., a. pontif. 6 [1221]. Not in Potthast's Regesta.

1823.—Exemplification by bishop W[illiam Briwer] of the confirmation by Honorius III. of the appointment of the prebend of Tengton in the diocese of Exeter to the use of the *communa* of the church of Salisbury (Lateran: 6 June, a. pontif. 8 [1224]). Not in Potthast's Regesta.

528.—Quitclaim from William son of Roger de Hybernia and Roger his brother, to the Chapter, of their land and houses on the Chapter's fee next the chapel of Christischuriche in Exeter. Done in full *ghalda* 28 Oct., in the provostship of Eustace son of Herbert and Richard Peitevin, *anno 1 consecr. W. Briwer episc. Exon.* [1224]. Witness: Anselm treasurer, Mr. Michael steward, Mr. Roger de Bagetore precentor, Mr. Hugh of Wiltun, Mr. Ysaac, Roger Cole. W. de Beziñ, Geoffrey de Beziñ, canons of Exeter; Walter Turb[ern], Roger son of Henry, John Turb[er]n, John Caprun, Nicholas Gervas', Walter Lachowe, Jordan Lidene, Roger Lidene, Walter priest, Roger Nosw[ic]h, and others.

2084.—Grant by bishop W[illiam] of the church of Branton for the maintenance of a Dean in the church of Exeter; of the church of Cullingthorpe for the use of the twenty-four canons of the twenty-four ancient prebends; of sundry other churches for the use of the canons; of others for the use of the precentor; and of an *aream competentem ad capitulum faciendum in orto nostro iuxta turrim sancti Iohannis*. [c. 1225.] (Torn.)

702.—Mandate by bishop W[illiam] to Mr. Ysaac, archdeacon of Totton, to induct S[imon], dean of Exeter, into the church of Branton, which he has annexed to the deanery; and likewise into the church of Taut[on] with the chapels of Svinbrig' and of Landeg'. [c. 1225.]

2085.—Confirmation by archbishop S[tephen] Langton of bishop W[illiam]'s ordinance for the establishment of a Dean at Exeter, so that S[imon] who is the first dean may have such dignity as other deans of cathedral churches have, with all such jurisdiction as B. archdeacon of Exeter now holds in the city, after his cession or death, and also the houses which used to belong to the archdeaconry of Toton. Witness: bishops E[ustace] of London, P[eter] of Winchester, R[ichard] of Salisbury, B[enedict] of Rochester, W[illiam] of Worcester, R[alph] of Chichester, W[illiam] of Exeter, A[lexander] of Coventry, G[eoffrey] of Ely. [1225–1226.*]

820.—Letters patent of S[tephen] archbishop of Canterbury, notifying that Sir William Briwer' had in his presence granted the church of Coletton to the deanery of the church of Exeter. [1225–1228.]

1288.—Appropriation by bishop W[illiam] Briwer], to the prior and monks of Cuwik, of the church of Okewenton† [Oakhampton]. [1225–1245.] Printed in Oliver's Monasticon, p. 156.

1596.—Covenant between the Dean and Chapter of Exeter and the abbat and convent of Buckfestr' concerning the fishery at Staverton. The fishery is to remain, but the Dean and Chapter are not to improve it (*emendationem apponant*); if it be damaged by the force of water or fall down, they may repair it, so long as they leave an open space of six feet in the middle of the stream, and such repairs are to be carried out by the view of lawful men of the neighbourhood. 29 June 1228.

1011.—Grant by the Dean and Chapter *autoritate Latranensis concilii* ‡ to sir Geoffrey de Bisiniano, canon of Exeter, of the church of Hurburton. 14 Oct. 1235.

600.—Ordinance by William [Briwer] bishop of Exeter, by the will of the prior and convent of Montacute and the assent of the abbat of Cluni, appropriating to the canons of Exeter the church of Alternon in Cornwall, on the condition of their making provision, not exceeding 5 marks, for a perpetual vicar in the same church, personally and perpetually resident. The canons are to make certain payments to the vicars and other clerks of the cathedral, and to require them to perform certain services, by virtue of this ordinance. 30 June 1236, a. consecr. 13.

* Bishop Geoffrey of Ely was consecrated 29 June, 1225, and bishop Benedict of Rochester died 18 Dec., 1226.

† The spelling is dubious, the ink being in part perished.

‡ Cf. 4 Conc. Lat., can. 32; Mansi, Conc. ampliss. Collect. xxii. 1019.

1.—Grant by Semar son of Gwarin son of Semar to Richard Bulle Dean and of the rent of 2s. mentioned in No. 4.* Witness: Martin Rof mayor, Philip Palmer and Walter de Molton provosts, Roger son of Henry. Chapter of Exeter. [c. 1238–1243.]

37.—Grant by William de Botis and others to the church of St. Peter, Exeter, of a rent in the city. *Pro hac autem donatione, concessione, et presentis carte nostre confirmatione dedit nobis capitulum supradicte ecclesie quatuordecim marcas sterlingorum inter quatuor scanna Gihalde Exon'*. Witness: Martin Rof mayor, Philip Palmer and Walter de Mouton', provosts, and others named. [c. 1238–1243.]

300.—Grant by the brethren of the hospital of St. John at East Gate, with the assent of W[illiam] bishop of Exeter and of B. archdeacon of Exeter, their warden, and of R[oger] dean and the chapter, and of the mayor and citizens of Exeter, to John archdeacon of Cornwall during life and to his successors being archdeacons of Cornwall, of a house in St. Martin street formerly inhabited by sir Roger de Lymesy canon of Exeter, at a rent of 40s. [Of the three seals those of the Chapter and of the archdeacon of Exeter are preserved.] [1238–1244.]

1502.—Appropriation by bishop William [Briwer] on the cession or death of its rector J. of Kilkenny, of the church of St. Wynnoc in Cornwall to the twenty four canons of the twenty four ancient prebends of the church of Exeter. Witnesses. July, a. consecr. 15. [1239].

1503.—Quitclaim by Jhesulf lord of Trethun in Cornwall, to the Dean and Chapter of Exeter, of the advowson of the church of Redprin, *de qua advocacione implacitavi dominum episcopum Exoniensem et dictos decanum et capitulum coram iusticiariis domini regis de bancho per breve ultime presentationis*; so that that church be in all ways a chapel subject and appertinent to its mother church of St. Weinoc. Witnesses. [c. 1239.]

2089.—Indulgence by William de Raleg', bishop of Norwich, of thirty-five days to those who visit the cathedral church of SS. Mary and Peter at Exeter. Exeter: 20 June, a. pontif. 3 [1242].

2092.—Grant by king Henry [III.], to bishop W[illiam], of the chapelry of Boseham [Co. Sussex] with the manors of Chedeham, co. Sussex, of Farendon, co. Hant., and of Horselegh, co. Surrey. 26 Nov., a. 28 [1243]. *Great seal* fragmentary.

1015.—Rescript of Innocent [IV.] to the Bishop and the Chapter of Salisbury, reciting that, whereas a prebend of the church of Teyngton had been appropriated to the common fund (*communio*) of the church of Salisbury, and that prebend had become vacant by the promotion of the bishop of Bath, then precentor of Salisbury, nevertheless since the prebend was then conferred upon the pope's nephew Andrew, precentor of the church, the appropriation intended had not yet taken effect, and confirming the appropriation on the next vacancy. (The ordinance of William [Briwer] bishop of Exeter is set out, appointing the churches of Teyngton and Ealvinton as prebendal, in the patronage of the bishop of Salisbury, subject to

* See above, p. 61.

the bishop of Exeter's right of institution, and assigning the appropriation of the churches of Kenton and Alfinton to the use of the common fund of Salisbury, but that of the church of Hurberton to the perpetual uses of the daily distribution of the canons of Exeter.) Lyons: 5 May, a. pontif. 2.* [1245]. Not in Potthast's Regesta.

640.—Composition made in the greater church of Wells, before Mr. Luke of Membir' and Walter of Cusington, canons of Wells, acting for the prior of the hospital of St. John and the archdeacon of Wells, touching tithes of wheat and hay which are said to be of the fee of Pondfreyt, fisheries, fishponds, curtilages, profits of pasture, and all other small tithes, concerning the church of Bampton [in the Bush, co. Oxon.], between the Dean and Chapter of Exeter and sir Roger de Oyli, knight. 11 April 1247.

2093.—Covenant made in the presence of R[ichard] earl of Cornwall and R[ichard] bishop of Exeter, before sirs Roger de Thurkelby, Gilbert de Prestoñ, and John de Cobbeh[am], justices itinerant, between the mayor, bailiffs, and citizens of the city of Exeter, and Mr. Roger dean and the chapter; the former claiming a right to enter the fees and tenements of the latter for making attachments of all kinds, assessing tallages, and taking many other customs and amercements, and complaining that the Dean and Chapter hindered the bailiffs from executing their duties. The Dean and Chapter agree that their tenants, whether in the city or in the suburb, whether of the old or the new feoffment, shall henceforth be tallaged with the citizens, so that the tallage be faithfully assessed by the oath of twenty-four lawful men of the same city, of whom two or three shall be tenants of the Dean and Chapter, and the tallage be collected by the bailiffs of the Dean and Chapter and delivered to the collectors of the city, the bailiffs of the city being empowered in case of default to distrain for the said tallage. Both parties agree that a common bailiff shall be appointed by their common assent, who shall take oath faithfully to collect the profits of the customs which are called *bakgavel*, *brewgavel*, and *chepgavel* from the tenants of the Dean and Chapter and shall divide all profits from pleas and suits (*querelis*) aforesaid, when they shall have been collected, twice a year equally between the Dean and Chapter and the citizens. And all pleas touching the said tenants within the city shall be pleaded in the court of the city before the bailiffs of the city and the common bailiff aforesaid if he choose to be present, and pleas touching tenants in the suburb shall be pleaded before the common bailiff without the east gate on the fee of the Dean and Chapter at the Cross, or in case of rain or tempest in any house on that fee. And if any baker or brewer commit forfeit whereby he should suffer the judgment of the pillory or tumbrel (*tumberellum*), this shall be done on the pillory or tumbrel of the city. And this agreement is made saving to the Dean and Chapter all other pleas and suits affecting their tenants, except the pleas of the crown. Lanceveton: Easter term, 33 Hen. III. [1249]. (Earl of Cornwall's seal fragmentary.)

* Other documents relating to this subject are No. 1013, 1014, 1016, 1822-1824.

997.—Grant by Ralph de Stocleia to St. Mary *ad caput beati Petri Exon.* of land in Edrichesdune. [c. 1250 or earlier.]

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of Exeter.

31.—Grant by Mr. Alexander chaplain, in frank almoign, to the monastery of St. Mary at Ford, of houses in Exeter. *Hec donatio facta fuit in plena Gialda Exonie.* [c. 1250.]

821.—Grant by Thomas Basset to the church of St. Andrew of Culintun of the whole tithe of the profit of the fair of St. Kalixtus in his hundred of Culinton, and the same of the fisheries of the manor; with 2 *lb.* of wax yearly. Witness: Richard le Tus, Henry de Pinkenia the grantor's nephew, Henry of Haddun, Richard of Haddun, Luke of Scheta, and others. [c. 1250.*]

2076.—Bond by the Dean and Chapter to pay yearly 10s. to be distributed by their stewards among the canons, vicars, and clerks keeping the obit of William de Wlaveston, formerly canon, in St. Peter's church, also 2s. for a pittance to the friars preachers of Exeter (less 18*d.* which the friars owe to the Chapter *pro quadam area*) and a like sum to the friars minor; 12*d.* to the monks of St. Nicholas at Exeter, 12*d.* to the lepers *de Magdalena*: The amount to be provided out of a rent bequeathed to the Chapter by the said William, which he bought of the prior and convent of Briweton.† [c. 1250.‡]

803.—Grant by sir Walter de Baa,§ knight, lord of Colbrok, of 60s. of rent for making a chantry in honour of God, of the Blessed Virgin, and of All Saints, at the altar of the Blessed Virgin, in the church of Colbrok; also of a tenement for the chaplain to inhabit, with common pasture in the lord's demesne of Colbrok throughout the year (*videlicet ad unum equum et duas vaccas cum duobus vitulis donec dicti vituli|| fuerint super annati, vel ad tres vaccas et ad tres vitulos de exitu donec super annati fuerint sine equo ad voluntatem presbiteri qui pro tempore fuerit ibidem, et ad duos porcos*), and the use of wood for kitchen and chamber, and of the mill immediately after the lord's wheat. Witness: Henry of Champernoun (*de Campo Ernulfi*), Mauger de sancto Albino, William de Bykelegh knight, Walter de Aure, Thomas de Wotton, William de Godiscote, Hugh de Coplestone, and others. [c. 1260.¶] Printed from another copy by Oliver, Bishops of Exeter, pp. 408 seqq.

49.—Grant by John of Henleg' to Richard de Bosco arso, spicer, of one shop *in magno vico Exonie*, and a tenement situated between that shop and the stone wall by which the churchyard of St. Peter is enclosed and which extends from the chapel of SS. Simon and Jude westward to the house of John Quinel,** chaplain of St. Peter the Little, eastward. 12 March 1263.

2101.—Statutes of bishop Walter [Bronscombe] for the Chapter. 28 April 1268, a. consecr. 11.

* The Catalogue gives ' ? circa 1280.'

† The purchase was in 1243: see No. 2091.

‡ Dated in the Catalogue ' ? c. 1150.'

§ In a disfigured fourteenth-century copy of this deed (No. 804) the name is *Walter de Bathonius*.

|| Written *viculis* . . . *viculi*.

¶ Dated in the Catalogue ' ? c. 1300;' but this deed is clearly earlier than another of Walterus de Batonia (No. 1847 below, p. 70), which is dated May 1275, and which, like this, bears the witness of sir William de Bykelegh.

** See above, p. 50 note ‡.

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of Exeter.

2102.—Ordinance of bishop Walter defining the jurisdiction of the Dean and Chapter and of the archdeacon of Exeter in the city and suburb. 3 Sept. 1270.

2105.—Confirmation by King Henry III. of the charters of Athelred, Cnhut, Edward the Confessor, and John, to the see of Ealdred and the church of Exeter. 5 [?] May, a. 55 [1271.] (Torn.)

1846.—Letters of Stephen abbat and the brethren of Marmoutier, reciting that a covenant had been made between Thomas de Moritonio and Robert of St. Mary *de campis* near Paris, their proctors general in England, and sir John called Wygier, knight, whereby the former sold to the latter the manor of Troverton for 392 marks sterling, conditionally on the yearly payment of £6 to two chaplains in the church of Exeter to keep the obit of Henry de Bracton, deceased, formerly chancellor of the church, and 13s. 4d. for a light and other necessary expenses; and acknowledging the receipt of 392 marks from the goods of Henry de Bracton and of sir John aforesaid. February 1272/3. *Seal and counterseal.*

1847.—Grant by Walter de Batonia, lord of Esteraddon, to sir John Wyger, knight, of John Smith of Thorverton, his bondman, with all his issue (*sequela*) and chattels. May 1275.

686.—Release by William de Courtenay, lord of Colyton, and Joan daughter of Thomas Basset, his wife, to the Dean and Chapter of Exeter of the suit of twenty one men which *per potestatem et voluntariam cohercionem predicti Thome Basset* was sometime made from their manor of Branscomb, at the hundred of Colyngton at three *laghedayes*; so that henceforth they shall send but four men and a fifth who shall be *hundredysman* and *thethyngman* of the manor to present the pleas of the aforesaid manor at Colyngton on the three *laghedayes*. Witness: Sir Henry de Tracy, Walter of Bath, Richard of Langeford, William of Wytheworthy, Gervase de Hortañ, Hamelin Disandoñ, William priest, John Westañ, John de Legh, and others.

2106.—Bishop Walter [Bronscombe]'s second statute for the church of Exeter. 15 Nov. 1275, a. consecr. 18.

1848.—Grant by John Wyger, knight, to the church of St. Peter, Exeter, of his whole manor of Thorverton, conditionally on the finding of three chaplains, two to celebrate divine service at the altar of St. Mary in the nave of the church, before which the body of sir Henry of Bratton is buried, for the souls of the kings of England and of the said Henry, and a third for the souls of the grantor and of his benefactors. [1276.*] *Seal* of the grantor with *counterseal*.

1849.—Counterpart of the same.

387.—Quitclaim by Theophania Payn widow and Dionisia her sister to Henry of Collecot' of 1d. of yearly rent received from a tenement without the west gate,† formerly belonging to their father John Payn. Witness: Martin Derling mayor, Richard Tandefor, Thomas of Gatespath, John Rok, and Richard Alayn stewards, and others named. *Datum die Iovis proxima post festum sancti Luce*

* So the Catalogue. The date must be previous to that of No. 1850, 30 Nov. 1276.

† Erroneously given as east gate in the Catalogue.

*evangeliste anno regni regis Edwardi quinto. Incipiente sexto**. Dean and Chapter of Exeter.
[21 Oct. 1277.] Two seals: S. TIFFANIE PAYN, S. DEONISIE PAYN.

668.—Grant by bishop Walter [Bronscombe] to the Dean and Chapter of the church of Bukerel in his patronage *ad sustentacionem duorum capellanorum in capella fere de novo constructa iuxta capellam beate Marie in ecclesia nostra cathedrali Exonie ex parte australi, ubi locum elegimus sepulture, perpetuo divina celebrancium pro anima nostra, benefactorum nostrorum, omnium fidelium defunctorum*. Teynton: 20 July 1280, a. consecr. 23.

2107.—Receipt by bishop Peter [Quinel] from the executors of bishop Walter's testament, for *decem carucas iunctas centum boum, ad quamlibet carucam decem boves*, bequeathed by the late to the present bishop; and bond for their handing over on the latter's decease to the dean and chapter, by whom they are to be delivered to his successor on confirmation.† 28 Febr. 1280/1, a. consecr. 1.

327.—Grant by Robert abbat and the convent of Tavistock to Henry of Bollegh, archdeacon of Totton, of a place in the city of Exeter *in vico canonicorum*.‡ Witness: Martin Derling mayor, John of Fenten, Richard Alani, John Boke, Thomas of Gatepade steward, Philip town clerk, and others. [1282 ?]

2088.—Grant by Robert abbat of Theoukesburie, to the church of Exeter, of the advowsons of Wynkeleya, co. Devon, and of St. Sanchreth and Trevalg[a] in Cornwall. 15 January 1282/3.

1006.—Appointment by bishop Peter [Quinel] of sir William de Bodrigan to be provost of the foundation lately made by his predecessor W[alter Bronscombe] in honour of SS. Mary and Thomas the Martyr at Glasney [Cornwall], with the church of St. Probus and the prebends belonging to it as they fall vacant; saving the provision for the vicarage of the same. 17 April 1283, a. consecr. 3. Seal of the Chapter, with *counterseal* showing the *navicula Petri*; and fragment of bishop Peter's seal.

2109.—Appropriation by bishop Peter of the church of St. Newelme in Cornwall to the chancellorship of the church of Exeter, and collation thereof to sir Clement de Langeford now chancellor:

Volumus etiam et ordinando statuimus quod quicumque futuris temporibus dictam cancellariam sic augmentatam optinuerit, in theologia vel decretis continue legat in civitate Exonie, et clerum ecclesie nostre antedictae in alterutra dictarum scienciarum instruat: quodque nisi tali qui de una dictarum scienciarum legere noverit dicta dignitas de cetero minime conferatur. Si tamen per corporis inpotenciam excusatus legere nequiverit, alium ad hec aptum, videlicet aliquem ydoneum et expertum

* It is well known that the regnal years of King Edward I. began at a determined moment in the course of 20 November; but the date in the charter is a month earlier, and the officers named agree with the lists neither in Oliver nor Izacke. Possibly *incipiente sexto* should be *indictione sexta*.

† A like receipt by Bishop John [Grandison], 28 June 1328, is No. 2197.

‡ In No. 342 of nearly the same date there is a mention of *vicus sancti Martini sive canonicorum*.

magistrum vel bachelarium in theologia vel decretis, ut† nobis et successoribus nostris prenominato capitulo nostro magis expedire videbitur, suis sumptibus inveniet.

Otery Monachorum: 22 April 1283, a. consecr. 3.

1936.—Foundation by the Dean and Chapter of the obit of Roger de Toriz, sometime dean, with the stipend of a chaplain at the altar of SS. Richard and Radegund in the church of Exeter, where the body of the deceased is buried. Tuesday after St. Hilary [17 Jan.] 1283/4.

Other deeds relative to this foundation from land at Widecombe, with the advowson of the church there, are No. 1934, 1935.

1937.—Appropriation by bishop Peter [Quinel] to the Dean and Chapter, of the church of Wydecumb with the chapel of Spykewyk; for the purpose of providing a chaplain to keep the obit of Mr. Roger de Toriz, sometime dean, at the altar of SS. Richard and Radegund in the church of Exeter, where the body of the aforesaid is buried, and also of keeping the anniversary of his executor Mr. Roger le Rus. 3 February 1283/4, a. consecr. 4.

331.—Licence from the mayor and commonalty of the city of Exeter, with the consent of Edmund earl of Cornwall, to Mr. Henry de Bolleg archdeacon of Totton and his assigns approved by the mayor and commonalty, *quod possint turrin sitam iuxta domum suam, per quam turrin communis aqua civitatis ingreditur, dispendere eam corrigendo et ordinare et in ea edificare in usus suos*, saving to the mayor and commonalty free ingress and egress to the tower *tempore guerre et necessarie defensionis civitatis quociens opus fuerit sine fraude et malicia, ita tamen quod onus sustentacionis exterioris muri predicte turris ad predictos maiorem et communitatem de cetero pertineat, sicut pertinere hactenus consuevit.* 26 May 1284.

2111.—Ordinance by bishop Peter for the union of the church of St. Cuthbert without the north gate of Exeter with that of St. Paul on account of the poverty of both. 13 March 1284/5, a. consecr. 5.

1391.—Ordinance by bishop Peter appropriating the church of St. Constantine in Cornwall to the Dean and Chapter of Exeter, *ita tamen quod emolumentum inde dicto capitulo proveniens in cotidianas distributiones canonicorum dicti capituli, qui presentes Exonie in maiori refectione fuerint, convertatur.* Ambresbiry: 21 July 1285, a. consecr. 5.

2114.—Agreement by the city of Exeter to the enclosure of the churchyard of St. Peter.† [c. 1285.]

333.—Covenant between Peter bishop of Exeter and the Dean and Chapter of St. Peter's church, and William Dodderigg* and Benedicta his wife; whereby the latter agree to block up their doors adjoining St. Peter's churchyard, and the bishop, dean, and chapter release them their rent.‡ [22 September 1285.]

Other deeds relating to the obstruction of doors necessary for the formation of the Close under bishop Quinel are No. 336, 346, 347, 348, 349 [dated 1295].

* MS. *utrum.*

† Printed in R. Izaeke's *Antiquities of the City of Exeter*, p. 22, ed. 3, 1731.

‡ Printed by Oliver, *Hist. of the City of Exeter*, p. 66, n. 5.

2115-2119.—Licences of the king (duplicate, Exeter: 1 Jan. Dean and Chapter of Exeter. [1285/6], a. 14) and of Edmund duke of Cornwall (Exeter: 4 Jan.) for the enclosing of the churchyard,* and bishop Peter's letters setting out the agreement with the mayor and citizens, concerning the same. 31 March 1286.†

343.—Grant by Henry de Bollegh, archdeacon of Cornwall, to the Dean and Chapter, of his house in St. Martin street next the city wall, situated between that wall on the east part and the *placea capellanorum pro anima domini Henrici de Bratton. celebrancium* on the west, on the condition of finding and maintaining a fit chaplain to celebrate *divina* for his soul and for those of his parents and for his predecessors and successors, archdeacons of Cornwall and Totton, &c., in the church of St. Peter, Exeter, *in altari iuxta capellam beate Marie Virginis, ex parte boriali, directe ex opposito capelle sancte Gabrielis, que quidem capelle tempore confectionis presencium fuerunt in construendo*, where the donor had chosen burial for himself: with a preference, as to occupancy, over the other canons to future archdeacons of Cornwall. 13 July 1289.

1471.—Ordinance of bishop Thomas [Bitton] granting to the Dean and Chapter the church of Uvely in Cornwall, to provide two chaplains, one to celebrate mass for his health during his lifetime, and after his death to keep his obit daily at the altar of St. Mary, the other to keep the obit of Mr. Thomas de Bodeham archdeacon of Totnes (*Tottonye*) daily at the altar of St. Gabriel. Provision is also made for the obit of Alyanora queen of King Edward I. at the high altar on the vigil of All Souls. 15 Oct. 1297, a. consecr. 6. *Seal*.

2124.—Foundation by Andrew dean and the chapter of Exeter of the obit of bishop Peter, who conferred many benefits on his church both in his lifetime and by his will, by attaching or appropriating churches thereto and *eandem ecclesiam quoad novam eius fabricam ampliando et pro magna sui parte sumptu proprio consummando*. 6 Febr. 1299/1300.

1741.—Grant by Randulf of Bellewrth to his daughter Isabel of the moiety of a burgage (*midietatem unius burgii*) in the vill of Sutton. [c. 1300.]

2846.—*Compotus executorum testamenti domini Andree quondam decani Exoniensis ecclesie*. 1302-1315. *Roll*. Among the entries are a large inventory of books, and an account of payments made after the testator's death *ad opus Philippi de Kilkenny* while at Oxford and then *ad exhibicionem suam in scolis in partibus transmarinis* (1308). Philip had certain of the dean's books to sell, *quorum precium expendit in scolis in inceptione sua in artibus*, namely *i digestum nouum* (60s.), *i codicem* (53s. 4d.), *i summam Innocencii* (40s.), *paruum librum extractis tribus libris codicis* (26s. 8d.), *decretales* (40s.), *summam Gaufredi* (30s.), *summam Azonis* (10s.); and others by legacy from the dean.

* See the Calendar of Patent Rolls, Edw. I., 1281-1292, p. 215, and Oliver's City of Exeter, p. 65, n. 3.

† These last are printed by Izacke, pp. 23 ff.

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1712-1714.—Proceedings at courts held at Stoke Canon'icorum, with an inquisition concerning tenures on the manor, on three membrances filed together.

No. 1713 contains proceedings at courts held on St. Petroc's day, 32 Edw. [I., 4 June 1304], and on other dates down to St. George, 35 Edw. [I., 23 April 1307].

No. 1714 is a duplicate of the same.

No. 1712 contains an inquisition, taken on the Tuesday after St. Valentine 1307 [20 Febr. 1308], before Mr. Richard Germeyn and William of Kilkenny, stewards of the exchequer of St. Peter, Exeter. The verdict of the jury begins as follows :

Dicunt per sacramentum suum quod omnes tenentes de manerio de Stok' sunt eiusdem condicionis videlicet nativi beati Petri Exonie, excepto uno homine videlicet Hugone West qui est liber et tenet per cartam. Dicunt etiam quod cum aliquis natus decedit iunior filius eius vel filia succedet et habebit tenementum, ita quod faciat pro ingressu ad voluntatem domini sui et faciat servicium etc. Dicunt etiam quod si decedens non habuerit heredes de se, videlicet nec filium nec filiam nec alium de genere qui debeat succedere, et fuerit aliquis natus in manerio vel extra qui non habuerit terram et tantum voluerit dare pro ingr[essu] sicut alius extraneus, pocius debet admitti quam extraneus. Dicunt etiam quod Ioel by Southecolm olim fuit affatus in curia domini sui pro eo quod prostraverat arbores sine licencia domini, et idem Ioel venit et respondit quod illud fecit ad levand[um] pecuniam in qua tenebatur domino suo. Requisitus fuit idem Ioel, quomodo tenuit terram suam : dixit quod in socagio, et per errorem hoc dixit. Et quod omnes homines de manerio interrogati fuerunt similiter, quomodo tenuerunt terras suas : dixerunt eodem modo in socagio. Et propter hoc amerciati fuerunt, et fecerunt finem per xxx. s. Credebant enim omnes dixisse quod tenent et tenere debuerunt de stipite in stipitem, Anglice *stok after stok*. . . .

1927.—Ordinance by bishop Thomas [Bitton] for the appropriation to the Dean and Chapter, of the church of Westansti, to provide for the obits of Mr. Andrew of Kilkenny, Mr. William of Kilkenny sometime bishop of Ely, Henry of Kilkenny sometime archdeacon of Chichester, and Henry of Kilkenny sometime rector of Bridestowe, and William of Kilkenny canon of Exeter (on his death), to be kept at the altar of St. Andrew in the church of Exeter. Monday 30 Aug. 1305.

2845.—Notarial act, 22 Febr. 1307/8, of the proceedings in the election of bishop Walter Stapeldon, from 27 Sept. 1307 onwards. The election took place on the Monday after St. Martin's in Winter [13 Nov.]. *Roll*.

2166-2176.—Receipts by collectors in the diocese of Exeter of tenths granted to the king by the clergy of the province of Canterbury. 1309, 1310, 1312, 1313, 1316, 1317.

1715.—Visitation of the church and manor of Stoke [Canon], 1310, containing an inventory of books, ornaments, and other goods

in the church, and the depositions of the parishioners,—*quod ecclesia est bene officiata per capellanum loci, qui est bone vite et conversacionis, ut dicunt*; on the state of the farm buildings; *quod dominus Iohannes firmarius loci manutenet et defendit libertates et homines manerii in comitatibus et alibi*; that they never heard that the bishop had at any time visited the manor or church, but only the dean and chapter.

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2144–2152.—Grants in the same terms by the abbats and convents of Boclonde, Bufestria, Torre, and Nywenham, and by the priors and convents of Tywardrayth, Totton, St. Nicholas at Exeter, Modbery, and Bodmune, granting participation in all their masses, prayers, alms, and other good works to all who, being penitent and confessed, shall have contributed to the fabric of Exeter cathedral church, which the bishop and chapter are unable to complete by their own means. 30 July 1310.

2142.—Grant by Gilbert de Clare earl of Gloucester* of land at Deineck [Devioc] in Cornwall for the use of poor students in the university of Oxford. 4 Edw. II. [1310–1311].

791–799.—Accounts of the warden of St. Gabriel's chapel at Clist for various years, from the Sunday after the feast of St. Maur the abbat 1311 [16 Jan. 1312] to 1366, mostly dilapidated.

2155–2158.—Indulgences by Llewelin bishop of St. Asaph, John bishop of Bath and Wells, Thomas bishop of Down, and David bishop of St. David's, to those who pray for the soul of Thomas [Bitton] sometime bishop of Exeter. May–August, 1312.

248.—Grant by Jordan de Brydestouwe, clerk, and Isobel his wife to William Poleyn lord of Wytherygge of a tenement in south street, Exeter, between the holding of Richard Dyer and the church of the holy Trinity towards the said street, and again between the said tenement *et quandam aream latitudinis sexdecim pedum, que esse debet ad defensionem dicte civitatis*, and extending in length from the said house to the tenement of the archdeacon of Exeter. St. Margaret, 6 Edw. II. [20 July 1312].

2162.—Ordinance by the Dean and Chapter admitting King Edward II. and Isobella† his queen and their children‡ to the fraternity of the church, and appointing services for them and their predecessors kings of England. 25 March 1315.

2165.—Notarial act witnessing the receipt by John de Messingham preceptor of the house of Hospitallers of Bodemescomb' in Devon, of the sum of 9*l.* 16*s.* 8*d.* collected in the diocese of Exeter *in subsidium passagii terre sancte* (30 Dec. 1315). 4 June 1317.

2865.—Depositions of witnesses in an inquisition concerning tithes at Bampton [in the Bush, co. Oxon]. 1317. Other documents, of 1319, bearing on the same question are in No. 2866–2868.

2179.—Letters patent of king Edward II. acknowledging the receipt of 480*l.* 10*s.* 9½*d.* which he had received from the treasurer and the chamberlains of the exchequer, the sum having been paid by Walter bishop of Exeter as due to pope John XXII., and binding

* This title can hardly be read. Much of the writing throughout the document has entirely faded away.

† Corrected from *Margareta*.

‡ Followed by *progenitoribus* deleted.

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himself to pay over the money to the pope within five years from 29 March a. 10. 28 May a. 11 [1318]. (Exemplification dated one day later.)

601.—Ordinance of Walter [Stapeldon], bishop of Exeter, with the agreement of the Dean and Chapter, reducing the pension payable by the vicar of Alton to the latter from 100s. to 40s. 1320. *Three seals, two broken.*

2186.—Ordinance by bishop Walter [Stapeldon] establishing a perpetual chantry of one priest to pray for the bishop while he lives and to keep his obit after his death, *in capella que in atrio sive cimiterio maioris ecclesie nostre Exonie situata Charnere vulgariter nuncupatur*, immediately after the two masses which are commonly, or have been in the past, celebrated at the altar commonly called Brattonesweued in the great church. 2 March 1321/2. *Two seals.*

2191.—Receipt by John Schireford, *custos novi operis ecclesie beati Petri Exonie*, of the Dean and Chapter for 100 marks of silver, *videlicet in meremio proviso in partibus London. cum eiusdem cariagio a loco emptionis ad mare tresdecim libras, sex solidos, et unum denarium, et residuum videlicet quinquaginta tres libras, septem solidos, et tres denarios in pecunia numerata; de summa mille marcarum in testamento venerabilis patris domini Walteri Dei gratia Exoniensis episcopi dicto operi legatarum.* Tuesday 7 Jan. 1325/6.

3498. 2.—Descent of the heirs of William Briwere, assigned in the Catalogue to 1327–1355.

385.—Grant of a *sullo* of land without the east gate. 22 Febr. 1327/8.*

2847.—Inventory of the goods of bishop Walter Stapeldon. 1328. Described, with full extracts, by Oliver, Bishops of Exeter, pp. 438–444.

2194, 2195.—Two letters from John de Brutone [treasurer] of Wells to R[ichard de Coleton] dean of Exeter, dealing with points of law: one, on the position of an archdeacon whom the bishop has collated to a canonry but whom the chapter has not admitted, and on the archdeacon's jurisdiction in the city and suburb of Exeter; the other, discussing (1) whether a canon made by the bishop beyond the appointed number of canons ought to be admitted by the chapter, (2) whether the collation of such a canonry without a prebend extinguishes the jurisdiction which during a vacancy of the archdeaconry belongs to the dean, (3) whether, although the deans have not used this jurisdiction, they do not hold it by right. The former letter is dated Wells, 28 Jan. The case in question is plainly that of John de Northwode whom bishop Grandison had collated

* The date *die Lune in festo beati Petri quod dicitur Cathedra* anno regni regis Edwardi primo in this document and in No. 386 would naturally indicate 1273, to which date they are assigned in the Catalogue; but the week day, as well as the handwriting, shows that Edward III. is meant, and the mayor named, Philip Lovecok, is stated to have held office in 1326 and 1329, though not in 1327/8. The lists of mayors in Oliver, however much improved by comparison with that in Izacke's Antiquities, needs a good deal of revision in its earlier stages. In other documents, e.g. No. 388, 389, the regnal years of King Edward II. are distinguished as *regni regis Edwardi nunc undecimo*.

to the archdeaconry of Exeter with a canonry beyond the appointed number of twenty-four. The dean's protest against the appointment (No. 2203) is dated 23 Jan. 1329/30. Dean and Chapter of Exeter.

2206.—Mandate of the official of the court of Canterbury to bishop John, requiring him to annul the collation of John de Northwode. 27 Jan. 1329/30.

1945.—Covenant about repairs, &c., at Wynkeley, mentioning Mr. Adam de Murymuth as junior canon of Exeter and farmer of Wynkeley. 20 Nov. 1330.

2215.—Ordinance of bishop John, reciting that *postquam idem predecessor noster* [bishop Walter Stapeldon] *unam domum pro scholaribus in logica imbuendis Oxonie fundaverat, ubi universitas viget generalis, extunc eciam ad sustentacionem puerorum studencium in gramatica et erudiendorum in moribus et vita cordis sui sedulo destinavit affectum*; he had therefore assigned certain lands to the master and brethren of St. John's hospital in aid of divine service there and for the maintenance of the boys aforesaid, but was unable to complete his design. Accordingly bishop John provides for its carrying out, and lays down statutes for the establishment of the school. Chuddeleigh: 18 November 1332. Agreed to by the dean and chapter 23 November.

2217.—Covenant between William abbat and the convent of St. Benedict at Boclande and Rannulf de Belleworthi concerning suit at the hundred court of Ruweburgh. [*Before 1333.**] Printed in Oliver's Monasticon, p. 386.

548.—Grant by Thomas de Stapildone, canon in the cathedral church of St. Peter, Exeter, to the Dean and Chapter, of a rent of 24s. from a tenement in high street (*in summo vico*) and from four shops in Northyetestret *fere iuxta quadrivium*, for the keeping of the obits of the grantor and of his brother sir Richard de Stapildone, knight: on which occasions *mittantur ecclesie de Hallesworthy sexdecim denarii pro obitu domini Walteri de Stapildone Dei gratia quondam Exoniensis episcopi* and of others, with Placebo and Dirige and one solemn Mass; and other payments were to be made to the rectors of Chepyngtoriton and Multone, to the chaplains of Cokebyry and St. Giles', and to the rectors of Holecombe-iuxta-Stapildone and Were, for the like purpose. Witness: Richard of Coletone dean, Adam Murymouth precentor, Richard Wydeslade treasurer, Robert Hureward, sir Richard Grayleghe, and others. 2 April 1333. *Seal*.

83.—Record of a suit in the court of the city of Exeter touching lands there claimed on the ground *quia tenementa sunt partibilia inter fratres et sorores secundum consuetudinem civitatis Exon'*; which suit was tried *per iuratum xxiii.*, *loco magne assise domini Regis, secundum consuetudinem*. Monday after St. John ante Portam Latinam, 7 Edw. III. [10 May 1333.] *Seal* of the mayoralty.

2218.—Receipt by Humphrey prior of Berlyz [Berlinch, Somerset] and the convent there for 10*l.* from the executors of the will of bishop Walter [Stapeldon]. 30 July 1334.

* See Oliver's Monasticon, p. 380 b. This deed dated in the Catalogue '1233.'

2220.—Draught of the beginning of an appeal of dean Richard of Braylegh from the court of Canterbury to the apostolic see in a matter affecting the rights and jurisdiction of the deanery. [After 1335.]

2219.—Foundation by Roger, abbat, and the convent of Hertylonde, *cum dudum magister Walterus de Stapylدون. clericus et advocatus noster fuerit ac negocia monasterii nostri provide, prudenter, et sapienter egerit et procuraverit, deinde ad pontificatus honorem sublimatus defensor et protector noster precipuus existens in nostris agendis consilium et auxilium prebu[er]it, tandem ab hac luce subtractus, executores testamenti sui affectionem suam quam habuit erga nos dum vixit considerantes notabilem summam peccunie quam in utilitatem monasterii nostri fatemur esse conversam de bonis ipsius nobis contulerunt*, of his obit on 15 Oct. Sunday, St. Matthias [25 Febr.] 1335/6.

1007, 1008.—Two originals of the ordinance of bishop John [Grandison] for the establishment of the office of archpriest in the church of Hacombe. 1337. *Seals defective. Printed* in Oliver's Monast. Exon., pp. 288 seq. and in the Register of bishop Grandisson, pp. 852–855, ed. F. C. Hingeston-Randolph, 1897.

2225.—Letters of Peter, cardinal priest of the title of St. Praxedis, and Bertrand, cardinal deacon of St. Mary in Aquiro, to the bishop of Exeter, requiring the payment of procurations to Gerard Roninsegne.* London: 9 Jan. 1338, Ind. VI., a. 4 Bened. XII.

2224.—Mandate by Peter cardinal priest of the title of St. Praxedis and Bertrand cardinal deacon of St. Mary in Aquiro to the bishop of Exeter for the payment of all sums remaining unpaid of their procurations for the current year from the 23rd July last past in the city and diocese of Exeter, at the rate of 4*d.* for each mark of taxation for tithe, to be received by themselves or by their proctors, the society of the Bardi of Florence; with a memorandum of those who had paid already, namely the prebendary of St. Carant 9*d.*, and the abbat of Clive for his benefices 8*s.* 4½*d.* Sealed at Bermondeseye and at Keryngton, dio. Winton, by the respective cardinals. 26 May 1338, Ind. VI., a. 4 Bened. XII.

2226.—Another monition of the same on the same matter. Tournay: 29 Jan. 1340, Ind. VIII., a. 6 Bened. XII.

2227.—Letters close of Edward III. to the dean and chapter of Exeter, relative to the charges against John [Stratford], archbishop of Canterbury. Westminster: 10 Febr., a. 15. [1340/1.] *Printed* in Rymer's *Fœdera*, ii. 1147.

2229.—Extract of an inquisition and of an action in the court of common pleas concerning the liability of certain of the lands of the dean and chapter to the payment of the ninth. 19 Edw. III. [1344–5].

2228.—Memorandum that, whereas Richard de Braylegh, dean, had built certain houses *in solo ecclesie beati Petri Exon iuxta Crystchurch* and made of them *domos pro scholis gramaticalibus et habitacione magistri scolarium*, subject to a payment for the keeping of his obit, the founder now makes further ordinances on this behalf. Wednesday after St. Peter in Cathedra, [23 Febr.] 1344/5.

* For *Boninsegne*: see Bliss's Calendar of Papal Registers, ii., 508, 514.

2231.—Precept of *venire facias* to the sheriff of Devon, to bring up before the exchequer the tenants of the dean and chapter on certain manors for the payment of the tenth for the provision of men at arms, hobelars, and archers for the king's service. 30 May, 22 Edw. III. [1348].

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2236.—The statute *de libertatibus ecclesie*, Hilary, 25 Edw. III. [1351/2]. Fragment of *great seal*.

2239.—Ordinance by bishop John [Grandison] for the better management of the hospital of SS. John Baptist and John Evangelist, with a grant of the right of burial, which is agreed to by the Dean and Chapter. 31 March–1 April 1354.*

2244.—Inhibition by Edward III. of the admission of Thomas David† and John of Uphull‡ to the archdeaconry and prebend, vacated by the consecration of John of St. Paul to the archbishopric of Dublin, to which, as was alleged, they had received provision from the pope; whereas during the vacancy of the see the king had collated his clerk Nicolas de Neuton to the offices in question. 10 June, 34 Edw. III. [1360].§

2246.—Commission from Willermus cardinal deacon of St. George ad veltumareum to the bishop of Exeter, empowering him to absolve from and dispense with certain irregularities after confession and penance|| :

Porrectis nobis ex parte decani,¶ singulorumque canonicorum, presbiterorum, capellanorum, vicariorum, clericorum, et aliorum in vestra ecclesia Exoniensi beneficiatorum supplicationibus, quantum cum Deo possumus, benignius annuentes auctoritate domini pape cuius penitentie curam gerimus; Circumspectioni vestre committimus, quatenus ipsorum decani, capituli, canonicorum, presbiterorum, capellanorum, vicariorum, clericorum, et beneficiatorum confessione diligenter audita, si inveneris eos arma portando, ad taxillos ac alios illicitos ludos ludendo, tabernas, ortos, vineas, prata, blada, et alia loca vetita et inhonesta intrando, excommunicatis et interdictis presentibus divina officia celebrando et cum eis alias non tamen in crimine participando, collectas, tallias, decimas, et alias impositiones et debita necnon doctoribus, magis-

*The bishop's part of this document is printed from his register by Mr. Hingeston-Randolph, Register of bishop Grandisson, p. 1125.

†Thomas David of Teignmouth was appointed a papal notary 27 Feb. 1343 (Cal. of Papal Documents, iii., 65). He was provided to a canonry at Exeter, 12 April 1348 (*ibid.*, p. 258) and at Salisbury, 17 Aug. 1349 (*ibid.*, p. 345). The two dignities were confirmed to him on 8 May 1350 (*ibid.*, p. 356). John of St. Paul is said to be about to be consecrated Archbishop of Dublin on 3 Nov., 1349 (*ibid.*, p. 345).

‡John Uppehulle, I.U.B., was provided to John of St. Paul's canonry and prebend, 3 Nov. 1349 (*ibid.*, p. 345).

§ One would have expected the date 1350, but the document bears the king's regnal year both in England (34) and in France (21).

|| This document is described in the Catalogue as a 'mandate' to the bishop to proceed by ecclesiastical answers against all his clergy convicted of playing at unlawful games, &c.

¶ Followed by a word erased.

tris, bedellis, et bancariis salaria quibus tenebantur statutis terminis non solvendo, constitutiones insuper, statuta, et mandata alia generalia tam provincialia quam synodalia legatorum, delegatorum, executorum, subexecutorumque sedis apostolice, iudicum ordinariorum, officialium, rectorum scholarum, et aliorum superiorum suorum transgrediendo, excommunicationis, suspensionis, et interdicti incurrisse sententias in tales generaliter promulgatas, periuria et peccata alia commisisse, horasque canonicas dicere omisisse: Postquam si quibus per premissa ad satisfactionem tenentur satisfecerint competenter, ipsos decanum,* canonicos, presbiteros, capellanos, vicarios, clericos, et beneficiatos a dictis sententiis, periuriorum reatibus, horarumque predictarum omissione, ac peccatis suis aliis, nisi talia fuerint propter que merito sit sedes consulenda predicta, absolvas hac vice in forma ecclesie consueta, et iniuncta inde eorum cuilibet pro modo culpe penitentia salutari, quodque si licita sint iuramenta ad eorum et dictarum horarum observantiam redeant ut tenentur, eisque ad tempus prout expedire videritis a suorum ordinum executione suspensis. Demum, suffragantibus eis meritis alioque canonico non obstante [impedimento], super irregularitate quam sic forte ligati per simplicitatem et iuris ignorantiam in suis (non tamen in contemptum clavium) ordinibus ministrando vel alias se officiis immiscendo divinis contraxerunt, dispenses auctoritate predicta misericorditer cum eisdem.

Avignon: 17 Kal. April, 10 Innoc. VI. [16 March 1362]. On the flap . . . *pro Officio*.

. . . *Durandus*.

Fragment of *seal*, on silken cord, showing the cardinal's arms. (a chevron between three cinquefoils).

2251.—Monition by William [Whittlesey], archbishop of Canterbury, to the Chapter, in virtue of his entire ecclesiastical authority in the city and diocese of Exeter *sede vacante*, requiring them to revoke the pretended appointment of Mr. John Chaundos, whom they had deputed president, official, or guardian of spirituality in the vacancy after the death of bishop John de Grandissono, and to restore Mr. John of Swynesheved, whom the archbishop had deputed, to that office. Canterbury: 31 July 1369, a. transl. 1.

1956.—Release by William Payn and Agnes his wife to Nicholas of Tamworthe, knight, and Joan his wife, of his lands at Wynterbornwast with the advowson of the church and whatsoever lands and tenements there lately belonged to the abbat of Cloungny or the prior of Vast. Dorchester: 22 February 43 Edw. III. [1369/70].

2247, 2249.—Two exemplifications of a statute passed in the last parliament, declaring that the freehold of lands farmed by deans and chapters is retained by them. 12 July, 50 Edw. III., and 12 June, 51 Edw. III.

* Followed by a word erased.

941.—Mandate of Urban [VI.] to the chancellor of the church of Exeter to deal with the appeal of the inhabitants of Cokton in the parish of Dowlisch, who prayed for the establishment of a perpetual vicarage there. Perugia : 5 Kal. Mart., a pontif., 10 [26 Febr. 1388]. *Bull* lost. Dean and Chapter of Exeter.

The documents in this case extend from no. 935 *b* through a great number of years, 1383–1439.

2264.—Pardon by Richard II. to bishop Thomas [Brantingham] for the escape of certain felons and convicted clerks from the bishop's prison *infra palacium suum Exon.* 3 Sept. a. 13 [1389]. By writ of privy seal. (Calendar of Patent Rolls, Rich. II., iv. 103.)

2266.—Documents concerning the inquisition after the death of Margaret wife of Hugh of Courtenay, sometime earl of Devon. 1–22 Jan., 15 Rich. II. [1391/2]. Tied up with a quitclaim to the Dean and Chapter of lands at Brankescomb.* (Fifteenth century.)

1541.—Early copy of an order of Lewis bishop of Volterra (*Wulterranus*), *nuncius* and collector for the apostolic see, in a suit between the dean or warden and canons of the free chapel royal within the castle of Windsor and the vicar of Saltash, concluding—

Subsequenter vero, dum nos Lodowicus collector antedictus ad nonnullos actus in dicta causa secundum iuris ordinem, observatis debitis terminorum intersticiis, processissemus ac ulterius procedere usque ad finalem ipsius expeditionem debite curaremus, quedam prohibicio regia in hac parte (cuius vera copia presentibus est annexa) die data presencium nobis extitit presentata, quam nos cum omni qua decuit reverencia recepimus ac eidem humiliter obedire et omni ulteriori processui in predicta causa per nos fiendo supersedere decrevimus donec regia maiestas super hoc aliud duxerit ordinandum.

London: 20 [?] Jan. 1399/1400. The prohibition of King Henry IV. subjoined claims that *placita de convencionibus laicalem contractum* [?]† *concernentibus in regno nostro Anglie ad coronam et dignitatem nostram specialiter pertineant.* 14 Nov., a. 1 [1399].

1289.—Bond by the warden and college of Otery St. Mary to keep the obit of John Prestecote, *domicellus*, and of Margery his wife, on St. Catherine's day, according to the form of the statutes prescribed by bishop John of Grandison. 6 Nov. 1406, 8 Hen. IV.‡

2284.—Memorandum quod executores testamenti Simonis Grendon nuper civis Exoniensis deposuerunt in quadam cistula existenti in scaccario ecclesie cathedralis Exonie, quinto die mensis Septembris anno domini millesimo quadringentismo undecimo, viginti libras de legato dicti Simonis Grendon

for the foundation of his obit for twenty years. 1411. A note is added, *Ista cedula scribitur in libro obit' in termino Sancti Michaelis anno &c. cccc. xj^o.*

2288.—Account of John Flour, official of the Dean and Chapter, showing the profits of their jurisdiction, Michaelmas 1416–1417.

* This quitclaim is not noticed in the Catalogue. † MS. *contraten*'.

‡ Printed by Oliver, Monast., p. 277.

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of Exeter.

3498. 18.—Letter of bishop E[dmund Lacy, 1421–1442] endorsed To the right worshipful and excellent prince my lord of Huntyndon :

[Right worshipful and excellent prince and to me at alle tymes ful gracious lord y recommaund me to your lordship with alle maner of reuerence [and] worship. And for it list your gracious lordship to be brother of the Chirche of Exetre they tristyng in your lordship that be there and y especial [doe] lowly beseche yow in suche matiers as they have to sewe touchyng the right of the Churche that ye list to graciously hire ham tendre [here] maters help to spede ham in here right at the reuerens of god and seynt petyr whiche saue yow and preserue to his plesaunce most [worshipful] and excellent prynce. I write at Chuddeleghe the viij. day of Octobre.

Your owne E.

Bishop of Exetre.

2291.—Licence by bishop Edmund Lacy to Hugh earl of Devon, who was bound, according to a composition made in 1308 between bishop Walter Stapeldon and Hugh son and heir of Hugh earl of Devon, here recited, to render service for his manor of Slapton, co. Devon, as steward at the bishop's enthronement, but was now absent in the parts of France in attendance on the King, to appoint his uncle Hugh Courtenay as his deputy on the present occasion. 22 March, 10 Hen. V. [1421/2].

1403.—Account for rebuilding the chancel of the parish church of St. Marina in Cornwall, 1422, *anno regni regis Henrici quinti decimo finiente*.

2292.—Bond of the Dean and Chapter to Mr. Michael Lercedekne, treasurer of the cathedral church, for the maintenance of an award
super ministracione et invencione vini ac luminarium pro canonicis, vicariis, annuelliis, et aliis extraneis itinerantibus infra dictam ecclesiam cathedralem divina celebrare volentibus. invencione, reparacione, sustentacione, et construccione librorum pro divino officio in ecclesia antedicta, torches in processione in festo natalis Domini, turribolorum, phiolarum, calicum, cordarum baldryke pro campanis, pulsacione earundem, cruc[ium], text[uum], vestimentorum, tuallorum, vuttura pro campanis, et aliorum necessariorum, necnon percepcione oblationum qualitercumque proveniencium [tam] ad altaria infra ecclesiam cathedralem predictam quam ad altare in capella Iohannis de Grandissono in fine eiusdem ecclesie situata ac ymagine infra et extra in portieu ecclesie antedictae, quattuor custorum custodia clocke, horilogii, ac bonorum omnium et singulorum premissorum.

22 Nov., 1 Henr. VI. [1422].

2293.—Covenant between Thomas duke of Exeter, uncle of Henry V., and sir John Arondell dean or warden of the free collegiate chapel royal of St. George within Windsor castle, and the chapter of the same, whereby the former grants a rent of 53s. 4d. in the parish of St. Mary Somersete in Tempse strete in London, which

he held of the said sir John Arondell and of Mr. John Corynghan, Dean and
Chapter
of Exeter.
clerks, to the dean and college for the keeping by them yearly of
his obit and of that of sir John Blount, K.G. London: 8 June,
and Windsor: 7 June, 1 Hen. VI. [1423].

2295.—This endenture y made at Exeter the xiiij day of Jun' the
zere of Kyng' Harry the zyxst the furste be thyxte the
Dene & the Chapetre of Exeter yⁿ the on syde & the
Mayer & the Comynce of Exeter, Thomas Abbot of
Tauystoke, Nicholas priour of Plymton, John priour of
Lancestoñ, William Abbot of Bokfaste, Robert Cary
Squyer, Alisonder Chanbernoun Squyer, John Bevylye
Squyer, John Copleston Squyer, the Mayer & the
Comynce of Plymouth, yn the other syde beryzt
wyttens that the same Dene & the Chapetre hauzt
delyueryd the same day a bove sayde to the same
personys a bove sayde & to here attornys the Grete
Tabernacle as so save as he was delyueryd yn to here
kepyng, the whyche was delyueryd to the Dene & to the
Chapetre for to safly kepe the whyche Tabernacle was y
layde yn plegge to the same personys & to the forsayd
Dene & Chapetre for the somme of DCCC Markes & lx &
zyt lyth wyttens of the whyche the partys forsayde &
here attornys hauyth y set to here selys y wret at Exeter
the day & zere a bove y sayd.

13 June [1423]. *Seal of the mayoralty of Exeter.*

A writ to the sheriff (attached) requiring the Dean and Chapter
to answer at the Exchequer for the Great Tabernacle, describes it
as of silver-gilt, garnished *cum viginti balais*, twenty-two sapphires,
and a hundred and thirty-seven pearls. 12 [?] Febr., a. 2 [1423/4].

2863.—Receipts at the visitation of the Dean and Chapter of their
peculiar jurisdiction, chiefly for *Venia beati Petri* (or *indulgentie
beati Petri**). 1426–1431.

2303.—Ordinance of bishop Edmund [Lacy] for the foundation
at the college of Stapylton Halle, Oxford, of the obit of Edmund
Stafford, sometime bishop of Exeter, who in his lifetime was a con-
spicuous benefactor of the college and continued the same good
works by the hands of his executors,

qui quamplura bona notabilia tam in libris videlicet pro
divinis serviciis in capella predicta in eisdem dicendis, et
calice atque libris pro libraria predicti collegii ad utilitatem
sociorum eiusdem collegii ibidem studere volencium in
eisdem, quam in nova construccione cuiusdam camere
predicti collegii vigintiquatuor pedum in longitudine sub
quadam de novo elongata, dilatata, et ampliata libraria,
necnon nova elongacione, dilatacionem, et largioris forme
ampliacione predictae librarie eiusdem collegii ac alciori
elevacione seu sublevacione supradictae librarie, et nova
coopertura plumbea eiusdem librarie, ac nova construc-
cione cuiusdam porticus capelle antedicti collegii et nova
coopertura plumbea eiusdem porticus, atque quadam nova

* See below, p. 85, No. 2352, 2355.

parva camera sub predicto porticu de novo totaliter facta, necnon in nova coopertura dimidietatis aule predicti collegii atque erectione et nova factura cuiusdam nove porte eiusdem collegii in parte occidentali ibidem situate . . . de bonis eiusdem recolende memorie domini Edmundi Stafford predecessoris nostri antedicti laudabiliter sunt largiti. 2 May 1430.

2323.—Decree of Thomas Gascoigne, S.T.M., chancellor of the university of Oxford, associated with Mr. Henry Severe and Mr. Richard Chester, king's chaplains, and others, under a papal commission for the examination of a service of St. Raphael the Archangel, composed by Edmund [Lacy] bishop of Exeter, authorising the same. 14 June 1444.*

934.—Inquisition taken at Dowlissh by commissioners for John duke of Exeter, admiral of England, with reference to the mast of a wrecked ship on the neighbouring coast, the Dean and Chapter having from time beyond memory claimed wreck on their manor of Dowlissh. 19 Febr. 1445.

2332.—Letters patent of Henry VI. granting to bishop Edmund [Lacy] exemption from all external jurisdiction in the fee of St. Stephen. 14 Nov., a. 24. [1445]. *Per ipsum regem et de data predicta auctoritate parlamenti.* The document was apparently drawn up in haste, for the engrossed capitals which should appear on the first line are represented only by blank spaces.†

2333.—Letters patent of Henry VI. granting the like exemption to the bishop, the dean, and other clergy of the church in the churchyard, the close of St. Peter, and the fee aforesaid. 14 July, a. 24 [1446]. The authority is as in No. 2332, and the document is in like manner uncompleted.

Other documents relating to the dispute between the city and the bishop are No. 2334–2337, 2339.

2335.—Inspeximus of Henry VI. of previous charters confirming the liberties, franchises, and quittances of the city of Exeter. 1 June, a. 25 [1447]. *Great seal.*

2977.—Expenses of John Wolston, the agent of the Dean and Chapter, at London and Barnstaple, in the suit between them and the city of Exeter. 26 May, 26 Hen. VI.—Dec., 27 Hen. VI. [1448].

3498. 7.—Letter under signet of Henry [VI.] to the Dean and Chapter of Exeter, informing them

Howe that grete noubre of oure liege people whiche were in oure towne of Baious and other diuerse places now being in oure aduersaries handes is comen vnto oure Towne of Cherburgh, bi whos comyng thedir, and also bi the lying there of the puissance that we sent last into oure Duchie of Normandie & the vitailles of oure seid Towne

* No. 2324–2327, 2329, 2340, 2395, are documents relating to the same service.

† This grant, though not referred to by the editor, forms an essential element in the dispute between the city and the church of Exeter, of which some of the stages are recorded in the Letters of John Shillingford, edited by S. A. Moore, 1871. The Catalogue says—‘This charter was afterwards cancelled.’ As a fact it was inspected and confirmed by Elizabeth, 2 June, a. 6 (No. 2448).

ben al moste spent and consumed In so much that there Dean and
vitailes ben not suffisant to serue them for iij wekes at Chapter
the farrest, of Exeter.

and asking them to lend him a sum of money. Leicester castle :
7 June [1450*].

2352.—Enclosed in an account of *proventus peculiaris iurisdiccionis dominorum decani et capituli*, 1456, is a note of receipts arranged under deaneries, and headed *Venia beati Petri ecclesie cathedralis Exon collecta in archidiaconatu Barn' per Nicholaum Stephyn post festum Pasche anno Domini M CCCCLVI.*

2355.—Indulgentie beati Petri Civitatis Exon et suburbiorum eiusdem de anno domini MCCCC.LVII. :

Ecclesia sancti Laurencii	..	..	16d.
Ecclesia sancti Stephani	..	..	21d.
Ecclesia sancti Martini	..	..	3s. 7d.
Ecclesia sancti Petroci	..	..	2s. 11d.
Ecclesia beate Marie Maioris	..	..	4s. 4½d.
Ecclesia sancti Kyerani	..	..	12d.
Ecclesia sancti Georgii	..	..	15d.
Ecclesia sancti Pancracii	..	..	12½d.
Ecclesia sancti Pauli	..	..	18d.
Ecclesia sancti Leonardi	..	..	1d.
Ecclesia sancti Edmundi	..	..	9½d.
Ecclesia beate Marie de Arcubus	..	..	15½d.
Ecclesia sancti Olavi	..	..	19d.
Ecclesia sancte Trinitatis	..	..	2s. 0½d.
Ecclesia beate Marie de gradibus	..	..	6½d.
Ecclesia omnium sanctorum super muros	..	..	1d.
Ecclesia sancti Iohannis de Arcubus	..	..	12d.
Ecclesia omnium sanctorum in aurifabria	..	..	9d.
Capella sancte Satirole	..	..	5s. 1d.
Capella sancti David	..	..	11d.
Summa	..	..	32s. 11½d.

3498. 22.—Letter of Henry VI. under signet to the President and Chapter recommending John Hals for the Deanery. Westminster :
31 Oct. [1457]. Signed *R. H.*

3498. 23.—Letter of queen Margaret under signet desiring the Chapitre and Chanons to accomplish the king's intention :

Trusty and welbeloued. We grete you wele. Kepyng wele in our Remembrance howe that bothe my lord and we haue now late writen vnto you diuers times our seueralx lettres of especial Recommendation for our Right Wel-beloued Clerc Maistre Johan Hals our Chaunceller vnto the Deanrie of the Cathedrall Chirche of Excestre in youre next eleccion. Wherupon sith our said writing we vnderstande by diuers Reportes made vnto vs that summe personnes of you

* Bayeux was taken by the French 16 May, 1450 (W. Worcester's Collections, in J. Stevenson's *Wars of the English in France*, ii. [630 seq.]). The King ordered supplies to be sent to Cherbourg by letters under privy seal, dated Leicester, 4 June, 1450 (Stevenson, *ubi supra*, i. 518).

hauyng no Regard that my lord ys your foundour whose Request of deuete ye awe tobei before al other, laboure the contrarie of my said lordes entent and oures to our gret merueil and displeasur if it so be. Wherefore we desire and hertly pray you estesones that atte Reuerence of vs levyng al other labours and meanes a side and a part, ye wil considred the herthey and the immutable desir that we haue vnto our said Clerces preserving at this time be Inclined and condescende to thaccomplissement of my lordes inuariale entencion and oures in this partie yeuyng my lordes highnesse and vs noon othre cause thanne to haue eueriche of you after your desert in suche thing as ye shul mowe have for to doo toward vs bothe for your preserving and also other wise in tendre Remembrance of our gode grace therfore in time to come. . . .

Westminster: 7 Dec. [1457]. Signed *Marguerite*.

2361.—Letters patent granting to the mayor, bailiffs, and commonalty of the city that they may have their goods and chattels called handiwork, to take with any person whithersoever within the jurisdiction of the city it shall be demanded by the same person, and the chattels of felons, with power to seize and take the same, all fines and amercements, &c.; but no liberty, franchise, jurisdiction, power, or interest in the fee of St. Stephen, the cathedral church, or the churchyard and close, or the bishop's palace.
*Copy.**

369 a.—Grant by Henry Webber, dean of Exeter, to William Pavlyn, clerk, of the inn or messuage in Exeter, with curtilage and garden adjoining, called *the Archidiaconys place of Tottenes*, whereof he and co-feoffees now deceased had been enfeofed by John Colyford, prior of St. John within east gate. 20 Aug. 1464.

1546–1548.—Deeds relative to lands held by Fulk Bourgehier lord Fitzwaryn and his son John in Shillingford and Shillingham. 20 Febr. 1470/1, 49 & 1 Hen. VI.—12 Febr. 13 Hen. VIII. [1521/2].

2365.—Will of dean Henry Webber, leaving his body to be buried in the north ambulatory of the cathedral church, *ubi ego libros meos iures canonici et civilis† per modum parve librarie disposui et ibi in signo mee sepulture posui lapidem paratum pro honestate ecclesie in memoriam anime mee*. Among other bequests is one to John Symon, rector of Stokyntynhide of *illum librum vocatum Bibliam, quem habui ex disposicione magistri Rogeri Bolter, ita quod librum illum alteri honesto presbitero disponat qui vult disponere illum alteri presbitero; et sic de presbitero in presbiterum dictus liber transiat quamdiu duraverit*. In like manner the dean leaves *unum ciphum vocatum A Nutte* to William Wolfe, priest, so that it may not be sold *sed transeat de sacerdote in sacerdotem*, and similarly a *portiforium*. 25 Febr. 1471. With the probate.

* Calendared in Oliver's City of Exeter, p. 285, from a transcript in the town clerk's office, where it is dated 1 July 1463. The Dean and Chapter's copy is dated, apparently by a slip, in the Catalogue, 1 July 1643.

† MS. *civilis*.

3498. 30.—Letter under signet of Edward IV.* approving the care taken by the Dean and Chapter for the bishop in his grievous infirmities. 13 April [1477 ?].

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1177.—Letters of the rector and scholars or fellows of Stapeldon Hall, otherwise called Exeter College, in Oxford, reciting that Nicholas Gosse chancellor, Walter Wyndesor subdean of Exeter, and John Lyndon dean of the collegiate church of St. Cross, Criditon, have agreed to the appropriation of the church of Menhynyet to the use of the said rector and scholars; wherefore they appoint Messrs. William Wagot and John Combe, canons residentiary of Exeter, and John Philipp, M.A., rector of St. Olave's, Exeter, to be their proctors before Thomas cardinal archbishop of Canterbury, or his commissary, *sede vacante*, to obtain a confirmation of the said appropriation. 4 May 1478. †

688.—Letters of institution by bishop Peter [Courtenay] of Mr. Richard Mayow, doctor of laws, to the vicarage of Brankescomb, void by the death of sir John Cruys. 3 March 1481/2, a. pontif. 4.

3498. 47.—Letter under signet of Henry VII. to the Dean and Chapter, concerning a *vessaill* called the *Mighell of Brykelsey* which was wrecked *besides Torbay, in the whiche diverse merchantes of our Citie of London had goodes and merchandises to a grete value and substance*. Certain tenants of the Dean and Chapter had seized some of the cargo, claiming it by virtue of the franchises of the Dean and Chapter *as goodes wrecked, which neither can ne may soo bee taken as long as the veray owners thereof be certainly knowen and vnderstande*. The king requires the Dean and Chapter to cause restitution to be made. Tower of London: 19 Jan.

2393.—Mandate of Alexander VI. to the Chapter to obey Richard [Redmayne] bishop of St. Asaph, whom he has translated to the see of Exeter, in the place of bishop Oliver [King] translated to Bath and Wells. Rome: 6 Nov. 1495, a. 4. *Bull* perfect.

3498. 48.—Letter from John Veysey to the President and Chapter [1501]:

Right honorable I hertly command me vnto you. The churche of Sarum yntendith to kepe the fest of ester† xj^o die aprilis sayng that Victor papa decrede in consilio palastino quod quamquam sit error in kalendario et in numero aureo quod minus malum sit tollerare illum errorem quam mutare omnes libros Et introducere errores infinitos & This our lord preserue you. From Sarum in crastino conuersionis sancti pauli.

Your own John Veysy prest.

3498, 96.—Letter of Richard Mayew *elemosinarius* to Dr. Sylke chauntour, asking that a forfeit of some 40*l.* fallen in on one of Chapter estates may be reserved for the bishop. 12 March 1502.§

* Attributed in the Catalogue to Richard III., and in the endorsement to 'King Henry.' 'Maister Piers Courteney,' who is mentioned as a councillor in the letter, was Bishop of Exeter through Richard III.'s reign, and was afterwards translated to Winchester: in this letter he was not yet dean. The bishop referred to is apparently John Booth who died 5 April 1478. Peter Courtenay, who became dean on 27 April 1477, succeeded him as bishop. The letter 3498.41 (not identified in the Catalogue) is plainly addressed to dean Courtenay, Nov., 1477.

† Cf. Boase, Register of Exeter College, Oxford, p. lii. n 1, 1894.

‡ Read *Exeter* in the Catalogue. § Dated in the Catalogue '1542.'

3498. 54-58.—Correspondence concerning the election of a dean on the death of Dr. Hobbes or Hobbys, when the king sought without success to procure the appointment of Mr. John Yong, keeper of his records and rolls in his chancery. 28 Oct.-9 Nov. [1509].

2411.—Commission by bishop Hugh [Oldham] to Thomas bishop of Solubria, to consecrate the church of St. Petroc, Exeter. Exeter : 21 July 1513.

484.—Ordinance for the foundation of the obit of John Arundell, late bishop of Exeter, by his executor Richard Sydnor (or Sodnor*), archdeacon of Totnes, with the consent of the Dean and Chapter, to be observed on or near the 14th March. Among the payments directed is *The custodys for the claysshes with the gret bellys xijd.* 5 Oct. 1515.

2419.—Confirmation by Arthur Plantagenet, viscount Lylsley,† vice-admiral, of the liberties and exemptions of the lands of the Dean and Chapter from the jurisdiction of the admiralty, and of their right to flotteson, jotteson, &c. 11 July 1526. *Seal* of the Admiralty.

2421.—Commission by Reginald Pole, dean of Exeter, to Thomas Colmore, vicar of Bramton, to exercise the jurisdiction of the deanery. 29 July 1529. *Copy.*

3498. 86.—Mandate of bishop J. [Veysey] to the President and Chapter :

Miror vehementerque miror, fratres charissimi, si vera sunt que audio ecclesiam Exoñ tam negligenter curatam, ut festo assumptionis beate Marie et dominica sequenti nullus canonicorum ibidem presencium predicavit vel predicari ab aliis procuravit, et quod negligencius pretermisum a nonnullis vestrum audio quod post recepcionem literarum mearum ad sic predicandum per vos receptarum, licet mensibus Iunii, Iulii, et Augusti in ecclesia Exoñ interfuerint, nec ibidem nec alibi ut fertur predicarunt ; quodque in fratrem nostrum Willelmum Compton, S.T.P., suffraganeum, virum moribus, sciencia, vite sanctitate, et hospitalitate ecclesiam Exoñ decorantem, quater ad minus in ecclesia predicta per tempus predictum fructuose predicantem, stilum et titulum regie maiestatis docte et erudite declarantem, non tantum decreta intra octo dies edidistis, quibus conamini eum privare iure sibi interessenti divinis in ecclesia predicta ex fundatorum ordinacionibus concesso, sed eciam de facto privastis contra omne charitatis et humanitatis officium ac contra iuratum per vos prestitum, videlicet fideles fore concanonicis confratribus vestris, requiring the canons to fulfil their duties of preaching and to treat their brother canon with justice. Chudleigh : 7 Sept. [1532-1536‡].

2426.—Licence by Henry VIII. to the Dean (or President) and Chapter to exercise their jurisdiction as of old accustomed, Thomas

* To this form the name is more than once corrected.

† Arthur, viscount L'Isle, natural son of Edward IV.

‡ Before July, 1537 (when S. Haynes became dean).

Crumwell, vicar-general and official principal, being hindered by business of state.* 24 Nov. 1535. Signed *Thomas Crumwell*. Dean and
Chapter
of Exeter.
—

3498. 88.—Letter from bishop John [Veysey] to the President and Chapter acknowledging the receipt of their letter naming preachers from Septuagesima until Good Friday :

Trusting in your circumspecte wisdoms that ye haue appointed suche personages having lernyng with discreation that can and will preache and set furthe the word of God sincerely without grafting or sowyng in the heades of the thignorant people any dissention or varieties of opinions, wherunto I exhorte and in the kynges name straitely charge you and them to forset and doo. In the new treatise callyd the Institution of a Christian man last conceauyd by a greate number as ye knowe of the most famous clerkes of this realme, Preachers shall finde mater sufficient to preache of, on especiall in tharticles of our Faythe, the seven Sacramentes, the petitions of our pater noster and the Ave, and of the ten cummaundementes, whiche ye cummaunde and exhorte the Sayd persons by you thus assigned to preache, to haue in remembraunce in theire Sermons, not adding nor diminishing any thing to the maters conteynyd in the sayde treatise.

Chudlegh, 12 Febr. [1538 ?†].

3498. 92-94.—Letters patent of Henry VIII. confirming the payment by every inhabitant of the diocese of one farthing yearly *for the use of the fabryk or buyldyng of the Cathedrall Church of saynt Peter in Exon.*, translated into English. 9 Nov., a. 30 [1538]. Printed by Thomas Petyt. (Six copies, showing two forms of the royal arms.)

3498. 73.—Letter from Thomas Crumwell to the Dean and Canons residentiary of Exeter, requiring them to pay to the prior of St. Nicholas of Exeter the portion of their *divident* due to him in consideration of residence. Redlynche: 27 Aug. [1535]. An endorsement, in a somewhat later hand, states that the residence is that of *Will. Yponen*. William Fawell or Collumpton, bishop of Hippo, was made archdeacon of Totnes, in 1549: he had been the last prior of St. Nicholas.† As Dean Lyttelton notes, he must have been a canon in his first year.

1036.—Dispensation by Thomas [Cranmer] archbishop of Canterbury to Thomas Pope late abbat of the dissolved Augustinian monastery of Hartlonde, that he may quit his religious order and enter into secular life in the dress of a secular priest and hold a benefice. Lambeth: 21 April 1539.

1037.—Letters patent of Henry VIII. confirming the above-mentioned dispensation. 17 April, a. 31 [1540]. *Great seal* broken.

195.—Transfer of lands, &c., in Prustenstrete, of the gift of George Gifford, deceased,

To this intent and condicioun that [the grantees shall maintain there from] an yerely obyt or anyversary in the

* This document is described in the Catalogue as a mandate 'for the visitation by' Crumwell.

† Dated in Catalogue, '1519-1551.' The Institution was published in 1537.

‡ Le Neve, i. 403.

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charnell howse among the annuvelers of the cathedrall church of Exetter for the sowles of maisster John Ryse, late tresorer of the same church, and others.

13 March, 34 Hen. VIII. [1543].

2434.—Receipt by sir John Poulet, of Hooke, Dorset, for plate received of the Dean and Chapter to the use of William Courtenay, esquire, 'the kinges graces warde,' the plate having been delivered to them by Henry Courtenay, one of the executors, and Thomas Parker, one of the overseers of the will of sir William Courtenay, deceased. An inventory follows. The total weight was 1013½ oz. 27 Sept., 37 Hen. VIII. [1545]. Signed *By me John Poulet*.

3498. 98.—Letter under signet of Henry VIII. to bishop [John Veysey] and the Dean and Chapter desiring them to give a lease for eighty years to sir Thomas Darcy, knight, of the manor and hundred of Crediton and of a parcel called Morchett. Hampton: 9 Jan., a. 37 [1546]. A similar letter is 3498. 99 (for a lease of Penryn Forein to John Killigrew, 5 Febr., eodem a.). The following letters bound up in this volume, which cannot be here set out, illustrate abundantly the lavish manner in which the property of the church of Exeter was leased or granted to persons connected with the royal service in the last years of Henry VIII. and during the reign of Edward VI., when John Veysey was bishop and Simon Heynes dean.

2452.—The Inventorye of certen goodes Deliuered by the Deane & Chapter of Exon into the safe custodie of Laurence Parlaben and Walter Harte custoses of the sayde church Anno Domini 1567.

Inprimis one silver pott with the cover of syluer.

Item one greate challis gylte with the kinges armes & a paten therto.

Item one siluer rodde.

Item iij tableclothes.

Item ix cusschins iiij of them are redd ij of white & redd & one of grene vellet.

Item ij clothes for the pulpitt.

Item a clothe of blacke & redd wroughte with goulde vpon.

Item vj carpets ij of them are shorte ones & one lyethe always in the See & thother before Mr. Deane.

Item ij clothes of silke that hange in the See.

Item viij clothes for the quier v for the summer of tapestrie and iiij* for the winter.

834.—Release by Phillipp Amades† of Plymmouth to sir Walter Raleigh, of Collaton Raleigh, knight, of his estate in the manors of Trethake, Penkelewe *alias* Penkeley, Tredford *alias* Treatford, and Tolcarne. [The . . .] and Twentith D[ay of . . . Twen]tith yere of the raigne of our Sovereigne Ladie Elizabeth, &c. (A fragment torn in pieces.)

* Apparently an error for iij.

† Philip Amadas commanded one of the ships sent by Raleigh to America in April, 1584.

4671.—Covenant between Hugh Chapingdon of Southmolton and the Dean and Chapter, whereby the former, on receipt of 20*l.* *for and in full satisfaccion of a cheime by him . . . made in the sowthe tower of the sayd cathedrall churche*, undertakes to keep the same in repair for two years and to *cause the sayd cheime to strike & serve for all the bells of the sayd tower if at anye tyme hereafter the sayd Deane and Chapiter or their Successors shall newe caste or cause to be new caste or exchaunged such of the sayd bells as be not tuneable at this present.* 25 July, 24 Eliz. Dean and Chapter of Exeter.

Other papers relative to the church bells (1615–1729) are in No. 4672–4678.

2462.—Notification by the rector and scholars of the hall or college of Exeter at Oxford to the Dean and Chapter of the vacancy of the thirteenth priest scholarship, in their gift, by the resignation of Eustace Marshall. 24 Sept. 1586.

2463.—Bond by John Vowell alias Hooker, chamberlain of the city of Exeter at the request of John Peryam, mayor, to pay to the Dean and Chapter 5*l.* 6*s.* 8*d.* yearly, so long as they shall *procure to be sounded and rounge well and sufficientlie one Bell now being in the South Tower of the saide Cathedrall Church commonly called Stafforde Bell as well every Morning as every Eveninge.* 8 Nov., 29 Eliz. [1587]. Signed *Jo. Hoker.*

3498. 153.—Letter of sir Thomas Bodley to William Bruton :*

Sir, I would it were in my power, to requite the frendship, that you shewe to my brother Miles Willist† : which, as I vnderstand by his report, is full of your loue and affection vnto him : wherein in good sooth, yow doe a great deede of charitie, for that the benefit of your kindnesse doth extend to his children, as wel as to himself. And I am nowe in hand with him, to sette downe some order, whereby they may haue meanes, to be honestly brought up : wherein he will doe his best endeuour, and shall the better performe it, if you will be pleased to continue your frendship : wherof I make no doubt at all, as I in like sort, would earnestly intreat you, to make the same account of me, in any occasion of your owne : wherewith I betake you to Gods good keeping.

London March 6.

Your assured frende

THO. BODLEY.‡

Endorsed To my special good frende Mr. William Bruton of Exon.

2478.—A true certificatt of the names, surnames and dwelling-places of all such persons of Abilytie as were thought fitt at this tyme to lend any mony to his Matie within the Countie of Devon (the Clergie and Cittie of Exeter excepted) made by me William Erle of Bathe his Maties Leivetenant their. [Nov. ?] 9 [James I., 1611]. *Copy.*

* Registrar of the archdeaconry of Totnes, according to the Catalogue, under 3498. 147.

† The husband of Bodley's sister Elizabeth.

‡ '1601 ?' Catalogue.

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2479.—Petition of Hugh Cholmeley, subdean, to archbishop Laud and lord keeper Coventry, asking them to make an order in his favour for the next residentiary's place. The order follows, dated 9 Nov. 1633, and signed *W. Cant. Tho. Coventrye C s.*

3494. 174.—Letter under sign manual of Charles I. to the Dean and Chapter, asking for a loan of 1000*l.* Oxford: 23 Dec. 1642. In another of 29 Dec. 1643 the king reproves the Dean and Chapter for their delay in paying and inclination to diminish the sum, and urges them to hand over the entire amount to Evan Jenkins or to John Ashburnham, the king's treasurer at wars.

3499. 179.—The articles for the surrender of the city of Exeter to sir Thomas Fairfax, 13 April [1646].

579.—Sale by the trustees for the sale of church lands to Phillip Starkey, of London, cook, for £752 4*s.* 5*d.*, of the archdeacon of Cornwall's house on the east side of the late cathedral church of St. Peter in Exon, the Treasurer's house in the churchyard or close, and other tenements and lands in and near Exeter, the archdeacon of Barnstable's house in the close of Exeter, and an ancient building *heretofore used by the canons and vicars chorall for their granery* in the city of Hereford. 24 Sept. 1651.

375.—Indenture of sale by the trustees for the sale of church lands to John Embree of St. Martin's in the Fields, Middlesex, esquire, of a house now or lately occupied by Mr. William Taylor, in a passage leading from the close of the late cathedral church of the Holy and Undivided Trinity of Winchester; of a house known as *the Archdeacon Cotton's* house alias the Archdeacon of Totnes house* in the churchyard or close of the late cathedral church of St. Peter in Exeter; and *the chanters house, alias Newgate*, in Exeter; together with the privileges of the close at Exeter, valued at 50*s.* a year. 23 June 1655.

3499. 203.—A note of *What hath been done by the Deane and Chapter of Exeter since their Restauration*; accompanied by 3499. 202, a letter under sign manual of Charles II. approving their action. 23 July, a. 13 [1661].

3499. 205.—Letter under sign manual of Charles II. requiring the President and Canons to proceed to the election and admission of Dr. Seth Ward, as dean, *which office and dignitie appertaineth to our disposition*. 12 Dec. 1661.

On another vacancy in 1663, the Chapter endeavoured to prevent a royal nomination of some one not belonging to their body, by filling up the canonry then vacated by the appointment of Oliver Naylor. The king at once, 22 Aug., annulled the appointment (No. 3499. 215) and suspended the precentor, Dr. James Smith, 24 Aug. (No. 3499. 217).

From a petition of the Dean and Chapter (No. 3499. 242) it appears that the king had issued an injunction, 24 July a. 19 [1667], against such filling up of canonries before the dignity was collated.

3499. 239.—Letter from bishop Seth Ward to the Dean and Chapter, requesting them to contribute to a loan to the king. 2 July 1667.

* This word is preceded by an erasure. No doubt the draught had *the Archdeacon of Totton*.

3499. 253.—Letter of archbishop Gilbert [Sheldon] asking for a return (1) of the numbers of parishioners within the diocese of Exeter, (2) of the number of popish recusants, and (3) of the number of open dissenters (of what sect soever). 17 Jan. 1675/6. *Copy.* Dean and Chapter of Exeter.

3499. 252.—Bishop Anthony [Sparrow's] letter sending on the aforesaid (apparently) to the official of his peculiar jurisdiction.

2495.—Injunctions of bishop Thomas [Lamplugh] at his first visitation of his cathedral church :

1. That the Canonically prayers, upon every sunday morning beginn at Nine a Clock, unlesse upon such sundays when shall be celebrated the holy comunion, And then to beginn a quarter of an hower before Nine.
2. That a little bell be rung out att nine a clock in the morning, as the first peale to the forenoone prayers, and the same to be rung againe att three a clock in the afternoone, as the first peale to evening prayers ; And that the bells be tolled out at tenn a clock in the morning, and at fower in the afternoone, as hath been accustomed heretofore.
3. That the bell (which upon sundays, Holy days and other Sermon days hath beene accustomed to be tolled att the first lesson to giue warning of a Sermon) be tolled upon those days immediatly after the bells have chimed all into the prayers, some continued tolls to the number of fifty-one or thereabouts.
4. That whereas of late yeares, our said Cathedrall Church has beene, in seuerall respects, prophaned and abused by persons continually walking therein, and making use thereof, as of an exchange, and by childrens making it a comon sporting place, and frequently annoying it with their excrements ; which wee haue by seuerall ways and methods endeoured to reforme and prevent, but could not effect it, Wee therefore do order and require That all the comon doores of entrance into the said Cathedrall, be constantly shutt after divine service (viz^t) after the early prayers att Six a clock in the morning, and after the Canonical prayers att tenn a clock in the forenoone, and after the evening prayers att fower a clock in the afternoone, after those times to be constantly kept shutt, vnlesse vpon extraordinary occasions.

Exeter : 3 Oct. 1679. Signed *Tho : Exon. Seal.*

4724.—Fair copy of the remonstrance of the Dean and Chapter against the bishop's injunctions and of the subsequent correspondence on both sides. The first letter of the Dean and Chapter contains some statements of interest for cathedral customs :

Have we not yeilded to your Lordships order, contrary to all former custome in our Church, & (some thinke) beyond what the Rubricke it selfe requires, in going up (three) to the Second Service* ; and comeing downe to the Rails to read the Epistle and Gospell ? . . . Not to repeate

* The bishop in his reply alleges the custom in his Majesties Chappell and other Cathedralls.

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those lesser matters already mentioned, because we have yielded to your Lordshipp in them, the first order we insist upon is that requiring the Canons once a moneth to read all the prayers in the Quire & (as your Lordshipp was pleased afterwards to interpret it) the *Chapter at the Cock*,* now tho we doe not thinke our selves too good to read prayers, as your Lordshipp hath intimated, and tho we doe voluntarily upon the chiefe Festivalls, yet your Lordshipp knowes there is liberall provision made for fower Priest-Vicars to do that Common Service, and the Statute intends only the services in our Country Cures, and we know no such Law or custome in our Church, but for a Canon to read at the Cock hath not so much as our President, except in order to the Law at his first admittance as Prebendarie or Dignitarie.

The Dean and Chapter had obeyed under protest the Bishop's orders for closing the north-east door of the cathedral church, which the bishop had declared *the marke of Rebellion* (*pray is not a new door leading into a Cathedrall Quire, turn'd formerly into a parochial Presbyterian Church a mark of Rebellion?*), and yielded on other points; but in the end, specially on account of an injunction magnifying the position of prebendaries non-residentiary, the Dean and Chapter appealed to the archbishop of Canterbury.

3499. 263.—Certificate from bishop Anthony Sparrow :

These are to certify whom it may concerne, that when I first came to be Bishop of Exeter I found a custome, that the Mayor and Aldermen when they came from the Sermon were not admitted to the Prayers of the Quire till they went home and pull'd off their gownes, which was a great prejudice to them, and as I thought to the Service too. Consulting therefor with the Church it was agreed that they should come immediately into the Quire from Sermon in their habits, but so that the Sword bearer should at the Quire door turn downe his Sword, and they come in not as Mayor and Aldermen, but as other Gentlemen, by this publick testimony acknowledging that they did it not by their own right but by the favour of the Church; but within a while the Sword bearer groweing a little bold kept up his Sword a good way into the Quire, for which he was rebuk'd and immediately he gave it over. By this favor we found that the Solemnity of the Service was advanc'd. Given under my hand and Seale November 30 : 1684.

Ant : Norwich.

Witnesses :

Charles Wells Pub : Not.

Will : Cooper Pub : Not.

3499. 246.—Memorandum concerning the proceedings of the seven bishops concerning the king's declaration. Headed, *May 19th* [1688].

* *I.e.*, the lectern. On this the bishop did not ultimately insist.

3499. 274.—Petition from the Dean and Chapter of Ely to the Dean and Chapter of Exeter, asking for help in repairing the north front of their cathedral, above half of which had been thrown down by a storm on 29 March 1699. The damage, which is traced to the late earthquake, is particularly described. 14 May 1700.

3499. 261.—Notes on the descendants of bishop Joseph Hall, and their benefactions at Exeter and elsewhere. Written c. 1730.

I have in conclusion the pleasure of expressing my grateful acknowledgments to the Right Rev. the Lord Bishop of Marlborough, Dean of Exeter, and to the Rev. Chancellor Edmonds, for much kindness during my visits to Exeter; nor must I omit to thank W. J. Battishill, Esq., Chapter Clerk, for the courtesy with which he assisted me in the prosecution of my enquiries.

REGINALD L. POOLE.

MANUSCRIPTS
OF
MAJOR MONEY-KYRLE,

PRESERVED AT

HOMME HOUSE, MUCH MARCLE, HEREFORDSHIRE.

THIS collection comprises a large number of early documents relating to parishes in Wiltshire, especially those of Calne, Bishop's Cannings, and the neighbourhood. They came into the possession of the family of Money-Kyrle from the marriage of Vincentia, daughter of Sir John Kyrle of Much Marcle, in the year 1674, to Sir John Ernle, knt., son of Sir John Ernle, of Whetham Hall in the parish of Calne. This Hall (still one of the seats of the family), and the lands connected with it, originally belonged to the family of Fynamore, whose name eventually assumed in other branches the form of *Phillimore*. Many of the earlier deeds here preserved were in consequence communicated by Major Money-Kyrle's father to Mr. W. P. Phillimore when that gentleman was engaged in compiling his *Memorials of the family of Fynamore*, privately printed in 1886, and are there cited by him. The documents are all in good condition, and in their long and connected series are valuable alike for local history and genealogical researches. Several names of heads of the monastic houses of Bradenstoke and Brecon occur which are not found in Dugdale.

A few papers which came from Sir John Ernle, Chancellor of the Exchequer from 1679 to 1688, are described at the end of this Report, but there is no such collection of his correspondence or official papers preserved here as might have been looked for. They include several letters of Lord Lauderdale, of which one, containing an indignant refutation of a complaint on the part of the Spanish ambassador, is a document of public interest. The ambassador had charged the Privy Council of Scotland with delaying the publication of a Proclamation forbidding the levying men for the service of France, in order to ensure the safe departure of some such levies which had been already made. Lauderdale's account of the rejoicings at Edinburgh upon the public announcement of the marriage of the Princess Anne with William of Orange will also be found interesting.

W. D. MACRAY,

[c. 1190-1200.].—Grant from William de Didesdone, with the consent of his wife Amicia and of his friends, to Abel de Wasseburne of the half-virgate of land and messuage which the donor's brother Richard, formerly lord of Didesdone, gave to the said Abel in marriage-dowry with his sister Alicia, paying after her death an annual rent of 12*d.*; in case of failure of warranty the said William shall give land of equal value in the same vill within forty days. Witnesses, Rob. de Westone, Theofrid de Aldrintone, Thomas the Chaplain, William the nephew ("Nepote") of Hugh Brekespere, Master Hugh, Roger the grantor's brother, William Radifor. Round green seal; an eagle; "Sigill' Will'i de Diclesdone" (*sic*). Major Money-Kyrle.

[c. 1190-1200.].—Confirmation by Bertha, daughter and heiress of William de Lancinges, of the grant which her father made to his uncle Luke de Erneleia of two hides in Erneleia, to hold by the service of the fourth part of one knight's fee less one virgate. Witnesses, Marcellus canon of Chichester,* Michael de Apeldreham, Ernesius de Almodit[on], Robert de Colevile, Ralph the Seneschal, Henry de Casneto, Nicholas de Trobewike, Marsilius de Wilstringes.

Of this there is a copy *temp.* Edw. III. on a parchment which has also a copy of the original grant by William de Launcinges, son of William and Matilda, in the same terms; witnessed by Rob. de Perepount, Nicholas de Waunci, Ranulph de Pirrepount, and Rob. de Elnestede, knts., Ralph de Westebourtone, Rich. de Cadnetes, Rich. de Pageham, Thomas Taillard, Anfrid, Seneschal of the Bishop.

[c. 1200-12.].—Copy made late in the 14th cent. of a grant by Almaric (here apparently written *Minaricus*) Earl of Gloucester to Rich. de Crispi of the land which Alan de Biriton held at Nurstede, paying annually one pound of cummin at the grantor's court at Mapeldereham; with pannage for 20 pigs in the woods at Mapeldereham. Witnesses, Nicholas the Earl's chaplain, John de Cambrun, Rich. de Bera, Rob. de Petraponte, John the chaplain of Mapeldereham], Rich. Talebat, Guy the Chamberlain, Will. de Soneword and Adam his son, Will. de Linford, Ralph Ferre and Herbert his son, Rich. Komon, Rich. the Cook.

[c. 1210-20.].—Grant from John, son of Henry the Clerk of Kunuc, to Roger le Frend of Wedhamtune, for the sum of ten marks, of all the land which came to him as patrimony in the vill of Kunuc, paying an annual quit-rent of one penny. Witnesses, Alexander de Estkote, Richard de Estkote, Henry de Estkote, Robert de Welie, John de Welie, Robert Hede of Wedhamtune, John son of Philip de Allekanige, Roger Luvel, John Beivin, Nicholas de Cruc.

[c. 1210-20.].—Grant from Robert son of John de Erchefund to his brother John of one virgate of land [in portions described by

* He is found attesting a charter in 1187-8 among the Oseney Charters in the Bodleian Library.

Major Money-Kyrle. — their boundaries], paying annually 5s. 3d. Witnesses, Alex. de Escote, Barthol. de Meredene, Will. de Stokes, Simon de Poterna, Rich. de Escote, Herewick de Newentone, Will. de la Hethe, Rob. de Poterna, Walter Bachel[er ?], Walter son of John.

[c. 1210-20.]—Grant from John son of Nicholas de Nuthstede to John son of Alexander de Nuthstede of the fee which the said Alexander held of him, paying annually 4s. 6d., and rendering the services of ploughing and reaping due to the Bishop, &c.; and should the donor or his heirs be obliged to go anywhere to defend the fee, then the said grantee shall pay one penny a day for expenses. Witnesses, Sir Philip de Cotes, William son of Luke, John the chaplain of Kaninges, Osmund Young ("Juvene") of Ringesweia, Will. de Ringesburne, Will. Rufus of Nuthstede, Roger the Miller of Nuthstede. Round green seal; a trefoil, double-slipped; "Sigill' Joh' is filii Nichol'."

[c. 1210-1220.]—Grant from John son of Alexander de Nuthstede to Roger the Miller and his wife Mary of land reaching to the mill-pool in exchange for land granted by John son of Nicholas de Nuthstede. Witnesses, Sir Philip de Cotes, John chaplain of Kaniges, Geoffrey then Serjeant ("serviente") de Kaniges, Osmund Young ("Juvene") of Kingeweia, John the Hunter ["Venatore"] of Kanige, John Agga, William Ruffus of Nuthstede.

[c. 1220-30.]—Grant from Agnes daughter of Thomas Herte, for nine marks, to William Chantemerle and Cecilia his wife of her messuage in Cicestre of the fee of the Lord of Canterbury in the Pallent ("in Palenta"), which master Anselm Herte formerly held; paying 18d. annually at Hokedai to the Lord of Canterbury, and to the grantor one pound of cummin. Witnesses, William of the Mills, then bailiff of Pageham, Will. Wiscard, John Flavel, John le Cordewanir, Ralph Sparhavec, Roger Laverke, Jordan le Pape, Michael Fretel, Will. Cuverrer, Hamon le Mocke, Nicholas le Palenta, Simon Crul.

[c. 1230-40.]—Grant from Adam son of Ralph Horn, with the consent of his wife Dyonisia, to William, son of Richard de Finemore, of the land in Whetham which Ralph the Forester held of his father, paying annually twelve pence. And the said Roger gives to him twenty-two shillings, and to his wife two shillings, and to his eldest son twelve pence. Witnesses, Walter de Calest[on], chaplain, Gilebert de Ainille, Gilebert de Finemore, Alex. de Tesewurde, Robert de Tesewurde, Walter his brother.

See W. P. Phillimore's *Memorials of the family of Fynamore*, 1886, p. 38, who dates this deed about 1272.

[c. 1230-40.]—Grant from Bartholomew de Quemerford to William the Scrivener ("scriptori"), for ten marks, of certain land and services in Stoke; paying annually one penny. Witnesses,

Walter de Bachamtune, clerk, Gilebert de Finemore, Symon Horn, Major Will. Luvel, Reg. Pal, Gilebert de Chelfurst[re], William and Hugh Money- the merchants, Walter the baker, Rob. le Linnere ("Lim̃sere"), Kyrle, Rich. de Ponte, Will. de la Grene, clerk.

[c. 1230-40.]-Grant from Richard le Chandeler to William Malewayn of half an acre in exchange in the field of Ethelhamptone. Witnesses, Sir Rob. de Tregoz, Hugh Murdach, Rich. le Blund, Rob. le Droys, John Philippe, Roger Luvel, Barthol. le Blund, Stephen de Hales, Walter de Stonton, clerk.

[c. 1250-1260.]-Sale by Henry son of Bartholomew de Quemerford to Richard de Leicestre, for half a mark, of his black chief virgate [in Quemerford] above Honeputte. Witnesses, Walter de Calestone, Nicholas de Cynnoc, Walter de Bachamtone, clerk, Jocelin bailiff of the hundred of Calne, Philip de Quemerford, John the Archer, Gilibert de Finemore, Will. Luvel, Will. de Calne, clerk. Round green seal; a star and crescent; inscr. effaced.

[c. 1250-1260.]-Grant from Ralph de Ernelye to Thomas his brother of a croft called Julienecrofte lying on the north of la Calewelye, and a little croft near the messuage which his mother Lucy had in dowry opposite the house of the priest in the vill of Ernelye. Witnesses, Sir Robert de Coleville, Simon de Wystringes, Walter de Almoditun, Rich. de Trubwyke, Hugh de Kaineto, Rob. de Rumbrugge, Henry the Chancellor, Gregory de Est[on], John de Estune.

[c. 1260-70.]-Geoffrey the Prior* and the Convent of Bradenestoke grant to Thomas Lovel the manse and croft which they had in Hethelhampton by the gift of his father Roger Lovel; paying two shillings yearly. Witnesses, Sir William son of Walter, knt., Will. Maleweyn, Geoffrey le Blunt of Hethelhamton, Robert Droey, John Philippe, Roger le Freman, Walter Lovel.

[c. 1260-70.]-Grant from John called Niweman of Ethelhamptone by way of exchange to William son of William Malewayn of two acres and a half in Ethelhamptone. Witnesses, Geoffrey le Blund, Robert Droys, Roger Lovel, Barthol. le Blud (*Blund*), John Wolf, Rich. de Codeford, Robert le Blund. Oval green seal; a cross with floriated border; "S' Joh' is le Niuman."

[c. 1260-70.]-Grant from John Chynnoke of Heghtesdebury to Richard de Remmesbury and Mabillia his wife, Stephen their son and Alice their daughter, for ten marks, of the grove called Cumbegrave in the hundred of Calne. Witnesses, Laurence de Stodlee, Will. le Scryveyn, Will. de Chelfurste, Gilbert Finemore, Will. Asseer, John de Ruede, Walter Alfrich.

* This Prior is not recorded in Dugdale's list.

[c. 1260-70.]-Grant from John le Escryveyn of Calne to Nicholas son of William le Escriveyn of Calne of pasture for four oxen above Haylle and in all his other pastures in the community of Quomerford, paying annually one penny. Witnesses, Will. le Escriveyn, Thomas Welond, Richard de Remesbury, John de Roude, Walter Alfrich, Yvo le Symple, John le Pope. Oval green seal; a head with two faces; inscr. effaced.

[c. 1260-70.]-Grant from John Avenel of Thaseworde to Robert de Holedene and Margery his wife, for their lives, of a croft called Sesere, paying annually two pence. Witnesses, Adam le Chamberlayn, William Asser, Hugh le Sesere, Gilebert de Finemore, William de Thasewarde, Walter de Brudesherd.

See Phillimore, *ut supra*, p. 39.

[c. 1260-70.]-Quit-claim by John Chinnoc, son and heir of Nicholas Chinnoc, to Richard de Remmisbure and Mabel his wife, for their lives, for the sum of forty shillings, of all his right in the moiety of a croft at la Cumbe and a meadow. Witnesses, William the scrivener ("scriptore"), Will. de Chulfurstre, John de Colcestria, Rob. de Barewil, John de Boremer (?), Rob. Alfrich.

[c. 1260-70.]-Grant by John Avenel to Walter Alfrich and Mabel his wife, for their lives, for the sum of forty shillings, of a meadow at Thasewarde, paying annually one penny. Witnesses, Will. le Seryvegn, Rich. de Remesbyry, Thomas Weylond, Gilebert de Fynemore, Will. de Thasewarde, John Humfray, John Pope, Will. de Thasewarde.

1270, 54 Hen. fil. Joh.—Agreement between William Malewayne and the Prior and Convent of Bradenestoke, by which he grants to the said Prior and Convent pasturage for twenty-four beasts. Witnesses, Sir John de Chiverel, Sir Will. son of Walter, Sir John de Cormaillus, knts., John de Langeford, Eustace de Hulle, Nich. de Winterburne, Geoffrey le Blunt.

Fragment from some Cartulary, apparently written about the middle of the 14th century, containing copies of four Charters, two of which are imperfect, granted in the time of Hen. III. or Edw. I., relating to Stokenchurch (Oxfordshire)—

1. Quit-claim from Walter de la More to Sir Alan son of Roald of a rent of a clove. Among the witnesses is Sir Tho. le Ercedekne.
2. Grant of land by Laurence de Scaccario to Richard son of William de Stodruge.
3. Grant from Alan son of Roald to Geoffrey de Dichesgate of an acre of land in le Surecrofte. Among the witnesses is one Robert Milksop.
4. Grant of 3 acres of land by Laurence de Scaccario to Robert son of William de Stodruge.

[c. 1270-80.]-Grant from John Wither to Henry Phelip of **Major Money-Kyrle.** Quemerford, for twenty shillings, of one acre in the field of Quemerford called Yvindona, in the cultivated land called Bremerforlang; paying yearly one half-penny. Witnesses, Sir Roger de Calestona, knt., Roger de Stodlaye, William the Scribe, John and Hugh the Archers, Will. de Patteford, Henry Barth, Henry Pinnoc, Walter Andrew.

[c. 1270-80.]-Quit-claim from Alteneya, daughter of Barthol. de Quemerford, to Will. le Escriveyn of a rent of three half-pence from her lands in Quemerford; rendering yearly one rose at the f. of St. Jo. Bapt. in the vill of Calna. Witnesses, Gillibert de Finemore, Will. de Patteford, Henry son of Philip, John the Archer, Walter son of Philip, Walter Sweyn, Roger le Draper, Hugh le Mercer, John le Masun.

[c. 1270-80.]-Grant by Roger Lovel of Ethelhamptone to his son Thomas Lovel, for twenty shillings, of an acre of land called la Rigges in Ethelhamptone; paying annually one penny. Witnesses, Will. Malewayn and William his son, Rob. le Droys, Geoffrey le Blunt, Walter Lovel, clerk, Barth. le Blunt, Rich. le Chaundelir, John le Wolf.

[c. 1270-80.]-Grant by Geoffrey de Fynemore to John Horn and his wife Matilda, for six marks and a half, of the messuage and whole tenement which Nicholas de Fynemore, father of Henry de Fynemore, held of the grantor's father Gilebert de Fynemore, in Wetham, saving the dowry of Isabella who was the wife of the said Nicholas de Fynemore; paying annually seven pence. Witnesses, Laur. de Stodleye, Gilebert de la Roche, Nich. le Eyr, Rob. le Blund, Walter de Brudeferd, Will. de Depegate, Nich. le Blund, Rob. de la Roche.

[c. 1270-80.]-Grant by Hugh de Vivona to Reginald his cook, son of Elias de Monasterio of Manegodesfend, and Edith his wife, daughter of Martin le May, in free socage, of a messuage and virgate of land in Westkingtone, viz., the messuage which Matilda Mylun formerly held and the virgate which Walter de Ponte held; and half a virgate of his demesne in Westkingtone; rendering annually one chaplet ("chapellam") of roses at the f. of St. Jo. Bapt. Witnesses, Sir Will. de Fort, Sir Will. de Monteacuto, Sir John Askelling, Sir Emeric de Reseys, Will. de Clare, brother of Richard Earl of Gloucester, Sir Adam vicar of Septon Malet, Will. de Englebi, Michael the clerk, Roger le Eyr, Adam Yve, Will. Gernun, Ralph Snaw the clerk, who wrote this deed.

[c. 1270-80.]-Grant by Roger Luvel to his daughter Margery, "pro servicio suo in auxilio ad se consulendum," of his croft in la Selemore and four acres in Ethelhamtone, with pasture for two animals; paying annually sixpence. Witnesses, Geoffrey le Blont,

Major
Money-
Kyrle.

Rob. de Derneford, Rich. le Chandelers, Rob. de Droys, Rob. and John Dwelie, Barth. le Blont, John le Wolf, Will. le Nyuwe, Walter Luvel of Wynterburne and Walter his son, Nich. Malewayne, Roger Bussel.

[c. 1270-80.]-Grant (in French) by John le Chamberlayn, son of Adam le Chamberlayn of Stokeleye, to his brother Adam le Chamberlayn of two crofts in Stokeleye called Sharpecrofte and Pynnoksplake. Witnesses, Rob. de Hungerford, Nich. Selyman, Gilibert de Fynemor, Nich. le Escryvayn, Rob. de Wychchamtone, John Giliberd, Will. Asser.

[c. 1270-80.]-Deed of exchange by William, son of William Malewain, with Robert le Blund of Hethelhamptone of one acre in the field of Hethelhamptone for an acre in the same field above Sandhulle on the north of Frizhay, extending above the Welrithe. Witnesses, Geoffrey le Blund, Rich. le Blund, Rich. le Chandelers, Roger Lovel, Barthol. le Wite, John le Wolf, John le Niwe, Rob. Malewain.

1272, 2 Feb., "ad f. Purificationis beate Marie."—Lease by Gilibert de Finemore and Geoffrey his son to Robert de Rode, for the sum of eight marks, of a croft at Tazwarde called Hurlaye, to hold until fifteen crops have been gathered; binding themselves not to sell the said croft meanwhile, under a penalty of 20s. to the lord of the hundred of Calne and half a mark to the rector of the church of Calne, namely the Treasurer of Sarum. Witnesses, William the Scrivener Walter Phelip, Rich. Papa, Geoffrey de Burgo, Henry Phelip of Quemerforde, Rich. de la Forde, Rich. de Tazewarde.

See Phillimore, *ut supra*, p. 38.

1273, April, "a die Pasche [Apr. 9] in quindecim dies," 1 Edw. fil. Hen.—Fine before the Justices at Westminster by which Roger le Chamberleyn, for the sum of sixty marks, acknowledges the right of Thomas Puke and Lucy his wife to a messuage and virgate of land in Whetham, with succession to their son Thomas and his heirs; paying annually one penny.

[1273].—Grant, indented, by Roger le Chamberleng (*sic*) to Thomas Puke and Lucy his wife, for one hundred marks, of all his land in the vill of Whetham, namely, the messuage and virgate which Roger de Horton, his mother's uncle, gave him; to hold to them and their son Thomas, and his issue. Witnesses, Sir Anselm Basset, Sir Nich. de Monte Forti, Sir John de Laverton, and Sir Will. de Percy, knts., Walter de Chaldefeld, Geoffrey de Finemore, Gilbert de Roches, Will. de Depegate, Geoffrey le Eyr.

The two parts of the indenture are together.

1274, "in octabis S. Jo. Bapt." 2 Edw. fil. Hen.—Fine before the Judges at Westminster by which Thomas son of Thomas de Horton acknowledges, on payment of twenty marks, the right of Thomas Puke, Lucy his wife, and Thomas their son, to a messuage and virgate in Whetham.

[1274].—Quit claim by Thomas de Hortone to Thomas Pouke and Lucy his wife, for fifteen marks and a half, of all his right in a messuage and virgate in Wetham which Roger le Chamberlayn held; paying annually one penny. Witnesses, Sir Nich. de Montefforti, Sir John de Laverthone, knts., Rob. de Panes, Rob. Malerbe, Rob. de Litletone, Geoffrey de Finemor, Will. de Depesgate, Henry Philippe, Henry Bartholomew. Major Money-Kyrle.

[c. 1280–90].—Grant by Agnes le Scheteres of Stokkeleye to Adam son of Adam le Chamberlein of all her part of the wood in Stokkeleye called Westebrokeswode, and of her land which she has by inheritance in le Niwelonde of the land of Westebroke. Witnesses, Walter le Chamberleyn, Will. Asseer, John le Schetere, Adam le Schetere, Will. de Thaseworth, Rich. le Schetere, Rob. de Holedene, John Sele.

[c. 1280–90].—Grant by Stephen, son of Richard de Remesbury, to Gilbert de Fynamor, of his tenement at la Combe, which he had for life by the grant of John Chynnok; the said Gilbert to provide him yearly with reasonable food and clothing, or else, at his option, to pay him twenty shillings at the f. of St. Peter ad Vinc. Witnesses, Will. le Escryveyn, Thomas Weylond, Rob. de Wychamton, Will. Asseer, Adam Shetere, Rob. de Holedene.

Phillimore, *ut supra*, p. 40.

[c. 1280–90].—Quit-claim from Henry de Finemore to his brother Geoffrey de Finemore, for forty shillings and a messuage and land at Finemore, of all his right in the tenement at Blakelonde which he had by the gift of his father Gilebert. Witnesses, Gilebert de la Roche, Geoffrey le Eyr, Gilebert le Wyte, Rob. le Blund, Henry Phelip of Quemerford, Laur. de Stodleya, Rob. de Jurleby, Thomas Puke, Will. de la Roche.

Phillimore, *ut supra*, pp. 39–40.

1282, 12 Jan., Monday before f. of St. Hilary, 10 Edw. [1.] At Stockele. Grant from John le Schetere and Agnes his mother to Adam le Chamberlayn of Stockele, for one mark, of one rood in Nywelond in Stockele. Witnesses, Gilbert de Finemore, Walter le Chamberlayn, Will. Asser, Adam le Schetere, Rich. le Schetere.

[c. 1290–1300].—Quit-claim by Sampson, Prior* of the house of St. John of Breconia, and the Convent, to Laurence Dabetot and Agnes his wife, of 6s. 8d. of annual rent from the mill and land which the said Laurence and Agnes hold by the gift of Hugh the clerk, citizen of Hereford, of the fee of the Priory at Nethereselwyk, but reserving an annual rent of twenty shillings. Witnesses, Sir Walter de Rudmarel and Sir Will. Daubenye, Canons of the Church of Hereford, Master Will. Dobyn, Hugh the clerk, Philip de Stapeltone, Will. Godknave, Walter de la Barre, Reg. Monyword,

* Not mentioned by Dugdale.

Major
Money-
Kyrle.
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John Lytfot, Thomas Thebaud, Will. de Locche, clerk. Large oval black seal ; an eagle, holding in his claw a label with the words " In principio " ; inser. broken and partly effaced ; " Sigill' [prioratus ?] divi . . Joh'is."

1299, 11 Nov., f. of St. Martin, 27 Edw.—Release from Will. Malewayn of Ethelhamtone to Thomas Scot and Joan de Bosco his wife, for forty shillings, of all the services due from them in Ethelhamtone ; paying annually 7*s.* 10½*d.* Witnesses, Sir Reginald rector of Fisshertone, Rich. le Chandelir, John Wlf, Rob. Malewayn.

1304, 14 May, Thursd. before f. of Pentecost, 32 Edw. fil. Hen. At Devyses.—Grant from Adam de Hyweye, son of Will. de Hyweye, to Thomas Netke, Agnes his wife, and Thomas his son the heir of John Nostede, of a messuage in Nostede which the said Adam had by feoffment of Will. de Horton, and the half of a mill called Netkemulne, &c., " prout munimenta prius inde confecta plenius et evidentius proportant et testantur." Witnesses, Sir Will. de Cotes, knt., Will. de Hyweye, Will. de Corftone, Rich. de Ringesborne, Thomas Nichole of Nostede, Michael le Esperner, " una cum Rob. Silvestre, clerico."

1305, 8 Feb., Mond. before f. of St. Matthias, 33 Edw. fil. Hen. At Irnelye.—Grant from Elyas son of Walter at Wayure of Bracclesham to Joan daughter of John de Irnelye, for forty shillings, of a croft in the parish of Irnelye called Suthwude. Witnesses, John de Almoditone, Will. de Wyghtringe, Henry le Halveknyst, Henry de Bulkestrode, Will. de Lyperinge, Will. atte Hale, Walter Blundel, Thomas Gryges. Round green seal ; a star ; " S' Elie filii Walteri ate"

1310, 29 Sept., f. of St. Mich., 4 Edw. fil. Edw.—Lease from John Avenel of Thazewarde and Alicia his wife to Richard Bartelot of Churiel and Nicholas his brother, for ten shillings, of three acres of land in Churiel and Quemerford, for twenty-six years.

1311, 9 Feb., Octave of Purif. B. M., 4 Edw. fil. Edw.—Fine before the Judges at Westminster by which Robert son of Thomas Pouke conveys to John le Parker of Devyses and Lucy his wife a messuage and virgate of land in Whetham, for the term of their lives.

1311, 12 Nov., Friday, Morrow of St. Martin, 5 Edw. fil. Edw. At Calne.—Acknowledgment by William called Pewelle of Calne of the receipt of 40*s.* from Gilbert de Fynemor, Walter Dauwe of Hedyngtone, Will. de Depegate, and John Horn of Whetham, bound as sureties of Adam Zeman, clerk, for a transgression committed by the latter against him ; releasing them from all further liability.

Phillimore, *ut supra*, p. 40.

1313, 10 May, 6 Edw. fil. Edw.—Acknowledgment by William Major son of Gilbert le Whyte, of Bromham, of a loan from Robert son of Money-Lucy Pouke, of Whetham, of £23 12s., “ad urgentissima negocia Kyrle. mea expedienda,” to be repaid at Michaelmas next.

1313, 25 Oct., Thursd. before f. of SS. Simon and Jude, 7 Edw. fil. Edw. At Fynamor.—Quit-claim from John Chynnok of Heyttrebury to Gilbert de Fynamor of all his right in the tenement at la Combe which ought to come to him upon the death of Stephen de Remesbury. Witnesses, Rich. de Castertone, Thomas Weylond, Will. de Shadewelle, Rich. Weylond, Humfrey le Seler, [etc.]. Oval black seal; an eagle; “S’ Joh’ is Ch[in]noc.”

1314, 18 Feb., Mond. before f. of St. Peter in Cathedra, 7 Edw. fil. Edw. At Calne.—Quit-claim from Stephen de Remesbury to Gilbert de Fynamor of all his right in the food and clothing and twenty shillings for which the latter was bound.

[See under 1280–90].

Same date.—Release from Walter le Chamberleyn to Gilbert de Fynamor of all his right in the tenement at la Combe which he had by demise of Stephen de Remesbury.

1315, 2 Feb., f. of Purif. B. M. V., 8 Edw. fil. Edw.—Lease from John Avenel of Thaseworth to Thomas le Sopere and John le Sopere of Stokkeleye, for five marks, of the croft called Corncroft in Thaseworth, for 28 years.

1316, 1 Jan., “jour de la Circumc. notre Seigneur,” 9 Edw. fil. Edw. At Lacham.—Long deed, in French, by which John Bluet, lord of Lacham, grants to Gilbert de Fynemor, Alice his wife, and John and Edith their children, a plot of ground which he had of the King’s waste, by the bail and livery of Sir John de Foxle, Sir Will. de Hardene, and Sir Hugh de Hampslape, in the forest of Pewesham at Horselaperith; paying to him and his wife Alianor and their heirs yearly two marks and a half. Witnesses, Sir John de Holte, Sir John de la Mare, knts., John Turpin, Peter de la Huese, Adam Harding.

1316, 22 Nov., Mond. after f. of St. Edmund, K., 10 Edw. fil. Edw. At Calne.—Grant by Amicia, formerly [wife] of John de Pentelowe to Adam le Chamberlayn, for twenty shillings, of all her part of the land in la Nywelonde in Stockeleye.

1316, 10 Dec., Friday after f. of St. Nicholas, 10 Edw. fil. Edw. At Tazeworth.—Grant from Roger Avenel son and heir of John Avenel of Tazeworth to Gilbert de Fynamor and John his son of his whole tenement in Tazeworth, with many rents and services in Calstone and other places. Witnesses, Rob. de Cantilupo, [etc.]. Another copy adds the name of Alice the wife of Gilb. de Fynamor to those of the grantees.

1317, 25 March, Friday, the Annunc. of B. V. M., 10 Edw. fil. Edw. At Devises.—Grant from Edith la Bonlor of Devises to Thomas Necke of Nusted and his wife Agnes, for the term of their lives, of the half of her right in a tenement with a water-mill called Neckemulle, paying to her yearly ten pence and a bushel of mixed corn. Witnesses, John Bonclerk, [etc.].

1318, 26 Nov., Sund. before f. of St. Andrew, 12 Edw. fil. Edw. At Whetham.—Grant by Matilda, widow of John Horn of Whetham, to John son of Gilbert de Fynamor, of a messuage with curtilage, &c., in Whetham.

1319, 9 Oct., Tuesday, f. of St. Dionisius [of Paris], 13 Edw. fil. Edw. At Devises.—Quit-claim from John de Polton to Gilbert Fynemor of all his right in the tenements which the said Gilbert holds in the hundred of Calne. Witnesses, Rob. le Boer, Will. de Troubrugge, John de Roches, Walter le Chaumberlayn, Zeman in la Hethe, Ralph le Forester.

1320, 12 March, 13 Edw. fil. Edw. At Fynemor.—Quit-claim from Gilbert Fynemor to his son John of all the services due at his court of Fynemor from the tenements which Matilda wife of John Horn gave to the said John in Whetham and Fynemor in her widowhood.

1320, 30 Sept., Morrow of St. Michael, 14 Edw. [II.]. At Devises.—Acknowledgment by William de Rameshulle, Constable of the castle of Devises, receiver of the moneys of the lady Isabella, Queen of England, from the assarts in the forests of Melks and Chyppenham, of the receipt of 8s. 3d. from Gilbert Fynamour for 33 acres in the forest of Chyppenham.

1326, 26 Jan., Sund. after Conv. of St. Paul, 19 Edw. fil. Edw. At Stokkeleghe.—Grant by Dionisia, Amicia and Eva, the daughters of Agnes le Schetere of Stokkeleghe, to Adam le Chamberleyn of one "lhote" of wood in Westebrokeswode in Stokkeleghe.

1326, 14 Dec., Sund. before f. of St. Tho. Ap., 20 Edw. fil. Edw. At Bromham.—Quit-claim from Matilda Nethethues, widow, to Adam le Chaberlayn (*sic*) of Stockeleye of all her right in lands and tenements, &c., in Stockeleye.

1327, 31 July, 1 Edw. III. At Hedyntone.—Acknowledgment by Matilda de Cantilupo of the receipt from Nicholas le Scrivein of Calne of £7 6s. 8d. in part payment of a bond for £100.

1328, 24 Oct., Sund. before f. of St. Luke, 2 Edw. III. At Stokkeleghe.—Grant from Adam le Chamberleyn of Stokkeleghe to Eva daughter of Agnes le Schetere of half an acre in Stokkeleghe in le Nieuwelond; paying yearly one penny.

1330, 5 Oct., Friday after f. of St. Michael, 4 Edw. III. At Mour-^{Major} done.—Grant (chirograph) from Edmund of Berewyk Basset to Money-^{Kyrle.} Nicholas Ywe of Wynterburne Basset, clerk, and his wife Albreda, the grantor's daughter, of all his lands and tenements in Wynterborne Basset, which he had by the gift of Walter Campyon of Cherchedone, son and heir of Richard Cardon. Both parts of the indenture are here, but in one the date is omitted!

1334, 30 Jan., Sund. after f. of Convers. of St. Paul, 8 Edw. III. At Calne.—Grant from John de Fynemore to William Rolf of Blake-londe and Agnes his wife, for their lives, of a piece of arable land in the field of Blakelonde; paying sixpence yearly.

1335, 29 Jan., Sund. before f. of Purif. B. M., 9 Edw. III. At Cicestre.—Grant from William Goudray to his sister Juliana of a messuage and $9\frac{1}{2}$ acres of land in la Manewode in the parish of Ernelee, which he inherited on the death of his mother Juliana Goudray, and also an annual rent of $6\frac{1}{2}d.$ from a tenement held by Adam le Tanner without the Southgate of Cicestre. Witnesses, John de Ernelee, Will. Blondel, [etc.].

1335, [July—?] “die Dominica in f. Translat. S. Tho. Mart.,” 9 Edw. III. (The feast of the translation of St. Tho. Becket, 7 July, fell on *Friday* in that year.)—Grant by Emma daughter of William Geffrey of Westebroke to Adam le Chamberleyn of her share of the land in le Nieuwelonde, and of a meadow called le Gore in Kyngmannemed at Stokkeley near Boltschinonethe.

1335, 21 Dec., Thursday, f. of St. Tho. Ap., 9 Edw. III. At Bulkstroud.—Agreement by which Thomas de Bulkstroude, son and heir of Henry de Bulkestroud of la Manewod, conveys to Juliana Gundray an acre of arable land in the parish of Ernelie at Bulkestroud in a croft called la Manewodecrofte, at an annual rent of 6s. 8d.

1336, 16 March, “Samady prochayn apres la f. de S. Gregory,” 10 Edw. III. At Devyses.—Indenture (in French) testifying that whereas there had been a dispute between John Maleweyn, of Ethelhamptone, and Geffrey le Blound of the same, as to the lordship of the lands and tenements which were late Rich. de Chaundeler's in Ethelhamptone, the said Geffrey, finding that they were held of the said John by suit of court and annual rents of 34s. $1\frac{1}{2}d.$, acknowledges that he and his heirs hold them by the same services, and the said John grants that he will acquit Geffrey and his wife Margaret of the rent of $1\frac{1}{2}d.$ beyond the 30s. if impleaded by Walrond son and heir of Yva Caynel. Witnesses, John de la Roche of Bromham, [etc.].

1336, 28 Apr. Sund. before f. of SS. Phil. and Jas., 10 Edw. III. At Ethelhamtone.—Grant from Peter le Bonde, chaplain, to Robert de Stoke and Edith his wife, of all his right in three acres of meadow in Ethelhamtone which his father, Robert le Bonde, acquired from John de Escot.

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1336, 29 Oct., Tuesd. after f. of St. Luke, 10 Edw. III. At Cuderyngtun Lucas.—Agreement (in French) by John son of Gilbert Fynemor that he will provide John, son of Maud who was the wife of Symon Torny, with proper sustenance at his houses of Fynemor, Coumbe, Tadewyk, and wherever else he may abide, for himself, his servant and his horse, during the life of the said Maud; with clothing and a furred robe yearly, &c. The seal of John Torny was affixed with that of John Fynemor, but both are lost.

1338, 21 May, f. of the Ascension, 12 Edw. III. At Stockeleye.—Grant by Will. Godwyn of Bromham to Adam le Chamberleyn and Agnes his wife of four sullions (*sic*) of arable land at Stockeleye in Westbrokesleye. Witnesses, Will. Azor, [etc.].

1339, 20 May, Thursd. before f. of H. Trin., 13 Edw. III. At Ethelamptone.—Quit-claim from John le French and James de Chyrton to John Malewayn of all their right in the lands and tenements which they had by his gift in Ethelamptone and Devises.

1339, 21 Dec., Tuesd., f. of St. Tho. Ap., 13 Edw. III. At Stokelegh.—Grant from Adam le Chamburlayn of Stokelegh to John de Westone and Katerine his wife of four pence of annual rent from a plot of land in the field of Stokeleye near le Hethenenate, with the reversion of the land.

1341, 3 Apr., Tuesd. after Palm Sunday, 15 Edw. III. At Hethelhamptone.—Quit-claim from Matilda who was the wife of Rich. le Foher to Rob. de Stoke and Edith his wife of all her right in 9 acres and one rood in Hethelhamptone which John Bertelot, chaplain, formerly held for his life of Rob. Bertelot brother of the said Matilda.

1342, 29 Apr., Mond. after f. of St. Mark, 16 Edw. III. At Westkyngton.—Grant by John son and heir of Will. de Mulecombe to Nicholas Pruet of Westkyngtone and Alice his wife of a rood of land at la Medacre. Round black seal; two hands clasped.

1343, 19 Jan., Sund. before f. of SS. Fabian and Sebastian, 16 Edw. III. At Westkyngtone.—Grant by John de Mulecombe to Robert atte Iwe and Margery his wife of an acre and a half in the field of Westkyngtone. Small round green seal; shield of arms very indistinct; inser. illegible.

1344, 17 March, Wedn. after f. of St. Gregory, pope, 18 Edw. III. At Calne.—Grant by Nicholas de Quemerford to Robert de Huggerford of all his lands and tenements in Quemerford; paying annually twenty shillings.

1344, 10 July, Wedn. after f. of Transl. of St. Tho. M., 18 Edw. III. At Chippeham.—Agreement between John Fynamor and Thomas Depezete that the said John shall hold all the lands and tenements in Depezete belonging to the said Thomas, for the term of the life

of the latter, rendering to him yearly six quarters of corn, half of wheat and half of barley, saving to the said Thomas the messuage which Sibilla Depezete formerly held when it shall fall in, and saving also the maintenance of one cow and one pig. Major Money-Kyrle.

1346, 12 Apr., Wedn. before f. of SS. Tiburtius and Valerian.—Will of John de Combe, made “in periculo mortis,” at 11 o’cl. Bequests to the church of Sarum, and to the lights of the church of Calne.

Printed in Phillimore, *ut supra*, pp. 41–2, but with various misreadings, of which the more noticeable are these: *selig’* for *silig[inis]*, *ort’ei* for *ordei*, *quartas* for *quarteria*, *mactem* for *matrices*, *viderunt* for *viderint*; a word omitted after “viiij oves” is *matrices*, and after “iiij” is *multones*.

1346, 28 Apr., Friday before f. of SS. Phil. and Jas., 20 Edw. III. At Whetham.—Quit-claim from Edith Finamour to Adam Chamberleyn of her right in a croft called Alrecrofte, which she had by the gift of John de Stokes.

1346, 1 May, Mond., f. of SS. Phil. and James, 20 Edw. III. At Whetham.—Grant by Adam Chamberleyn to Edith Finamour, John son of John who was her brother, and to Margaret, Cristina and Alice, sisters of the said John the son, of all his messuage and the croft called Alrecroft; paying annually one penny.

1347, 14 March, Wedn. after f. of St. Gregory, pope, 21 Edw. III. At Stokkeleghe.—Grant from Adam le Chamberleyn of Stokkeleghe to John le Glasiere and Isabella his wife, of all his lands and tenements in the hundred of Calne, for the life of the grantor, with reversion of lands in Stokkeleghe.

1347, 8 Apr. “die Domin. prox. ante diem Martis que vocatur le Hokkeday,” 21 Edw. III. At Stokkeleghe.—Quit-claim from Adam Chamberleyn to John le Glasiere and Isabella his wife for the lands &c. granted by him to them in Stokkeleghe. Small red seal; a hunter’s horn; “S’Will’i de Colden” (?).

1347, 10 May, Thursd. after f. of St. John ante Port. Lat., 21 Edw. III. At Stokkeleye.—Re-conveyance from John Glasiere and Isabella his wife to Adam le Chamberleyn of the property conveyed to them in the two deeds preceding, excepting one half acre in the field called Nywelond; paying one penny yearly.

1349, 26 Jan., Sund. after f. of Conv. of St. Paul, 23 Edw. III. At Coumbe.—Conveyance from Adam Chamberlayn to John Fynamour and Alice his wife of a messuage and lands in Coumbe, with reversions of lands &c. in Stokkeleghe, and the tenement and land which John Avenel formerly held in Tazeworthe, all which the grantor had by feoffment of the said John Fynamor; to hold for their lives, with succession to their children Robert and Margaret.

1349, 22 June, Mond. before f. of St. J. Bapt., 23 Edw. III. At Wodhamptone.—Conveyance from Robert de Ethelhampton and Laurence Divelye of Erchesfunte to John Malewayn of all the lands &c. which they had by feoffment of John le Frend in Erchesfunte, Wodhamptone and Conok, excepting one messuage &c. which Simon Comper holds for his life in Erchesfunte; with remainders to Joan, daughter of Rob. de Ethelhamptone, to Robert son of Alice, and to John son of Alice. Witnesses, Geoffrey le Blount, John Malewayn of Canygges, [etc.].

1349, 13 Sept., Sund. after f. of Nativ. B.M.V., 23 Edw. III. At Bristol.—Grant by John de Heigham to Richard de Wiltesshyre, and Michael de Grendon of all the lands, rents, advowsons of churches, and reversions which he has in Norhampton and Hertwell and elsewhere in the county of Norhampton. Witnesses, John Blanket, [etc.].

1350, 16 May, 24 Edw. III. At Ernelee in Sidlesham.—Grant from John de Ernelee to his son Richard de Ernelee, senior (*sic*) of his tenement called Waldyngsithe in Ernelee; paying annually two shillings.

1351, 26 March, Sat. after f. of Annunc. B.M., 25 Edw. III. At Lacham.—Grant by Peter de Cusaunce, lord of Lacham, to William le Forster of Wetham and his heirs of the plot of waste ground at Horslaperyde which Ralph Forster formerly held; paying a yearly rent (*amount lost*). Witnesses, John de la Roche, [etc.].

1351, 13 June, Mond. after f. of St. Barnabas, 25 Edw. III. At Lacham.—Grant from Peter de Cusaunce, lord of Lacham, to John de Fynamour and his heirs of the plot of waste ground at Horslaperyche which Sir John Bluet formerly granted to Gilbert de Fynamour; paying twenty shillings yearly. Red seal of arms; a bend engrailed; inscr. broken, "S' Petri . . ."

1352, 25 Sept., Tuesd. after f. of St. Matthew, 26 Edw. III. At Westchesyngbury.—Grant from William de Wyke to John Malewayn of all his lands and tenements, &c., in Westchesyngbury and Uphavene which came to him on the death of his father Will. de Wyke. Witnesses, John de Cobham, and Rich. de Haveryng, knts., [etc.]. Small fragment of seal of arms, with a chevron.

1353, 23 Feb., Saturd. "post f. Cathedre S. Petri," 27 Edw. III. At Chippeham.—Grant from Richard le Scrivayn, of Chippeham, of licence to Juliana atte Slow (?), his tenant, to exchange two acres of arable land at Chelleshull in the vill of Kemerford with Rob. le Blake.

1355, 4 Oct., Sund. before (?) f. of St. Dionysius, 29 Edw. III. At Erchesfounte.—Grant from William Boers of Erchesfounte to his daughter Edith of all his goods moveable and immoveable, wherever they are. No witnesses.

1357, 26 Jan., Thursd. after f. of Conv. of St. Paul, 31 Edw. III. "incipiente." At Ethelhamptone.—Grant from John Malewayn, of Ethelhampton, to Thomas Lovel of all the lands and tenements which were formerly John Lovel's called Janyn in Ethelhampton, reserving the rents and services incidental to the lordship from the tenements of Michael Makerel and Alice his wife, of Rich. le Corl and Agnes his wife, of Rich. Lovel, John Balhon, and John Saltere; paying annually to the said John Malewayn and Alice his wife twelve pence. Major
Money-
Kyle.

1358, 4 Apr., Wedn. in Easter week, 32 Edw. III.—Record of the delivery by John Fynemor to John son of John Fynemor, senior, of all the goods which remained in his custody, and likewise to Walter Schetere, viz. two oxen worth two marks, five bushels of barley, a brass pot, eleven shillings from the sale of one ox, [and other goods;] and Rob. Asser and Will. Schetere become sureties for the said Walter Schetere that he will hold the said John Fynemor harmless. Witnesses, Sir Walter Fynemor, chaplain, [etc.].

1358, 19 Apr., Thursd. before f. of St. George, 32 Edw. III. At Hungerford.—Bond from Thomas Hungerford and Robert le Blake for payment of £50 to John Malewayn of Ethelhamptone at Christmas next.

Same date. At Ethelhampton.—Grant by Rob. le Blake to John Malewayn of all his lands and tenements in Ethelhamptone which he had by feoffment of his brother Adam Blake, and which were lately Robert de Ethelhamptone's.

1358, 23 Apr., Mond., f. of St. George, 32 Edw. III. At Erchesfounte.—Agreement by Thomas Hungerford, son of Walter Hungerford, that whereas John Malewayn had granted to him £20 of annual rent from all his lands and tenements in Ethelhamptone, Erchesfounte, Wodhamptone and Conok by deed dated the Thursday preceding, that deed shall be null and void if the said John shall pay to him at Poterne, in the parish church, on the morrow of the Holy Trinity next £50, and on the feast of All Saints £30, and on the feast of Easter £20, and the annual rent of £20 shall then be extinguished. No witnesses.

1360, 3 Sept., Thursd. after f. of Decollation of St. J. Bapt., 34 Edw. III.—Grant (in French) from Thomas de Yoyteleghe and Isabel his wife to John de Halle of Whetham and Margaret his wife of the third part of a messuage in the vill of Wroxhale, which the said Isabel holds as dowry from John le Credere formerly her husband. No witnesses.

1361., 20 June, Sund. before f. of St. J. Bapt., 35 Edw. III. At Allecanynngges.—Lease from Simon Weste of Hethelhamptone, clerk, to William Rolf of Allecanynngges of the meadow in Allecanynngges called Redemedede, to hold for the life of the said Simon at a yearly rent of 13s.

1361, 12 Sept., Sund. after f. of Nativ. B.M., 35 Edw. III. At Devises.—Grant from Walter Estmond of Devises to his brother William Estmond of all his lands and tenements in the hundred of Canynges Episcopi and elsewhere in Wiltshire; paying annually 100 shillings to the said Walter for life. Witnesses, Will. Sokeman, Thomas Fayrdame [and six others]. Small white seal of arms, chevron between — ?); inscr. broken.

1361, 7 Nov., Sund. after f. of St. Leonard, 35 Edw. III. At Mapulderham.—Quit-claim from Robert son of Hugh Calnwe of Douswel to William Colle of Mapulderham, Matilda his wife and Margaret their daughter, of all his right in the inheritance which he had from John Petyt his uncle. Witnesses, Rob. Markant, knt. [etc.].

1361, 3 Dec., Friday after f. of St. Andrew, 35 Edw. III. At Kyngeston Seymor.—Grant from John de Ken, son and heir of John de Ken lord of Ken, to John Leverich of Kyngeston Seymor, John his son senior (*sic*), and Margaret wife of the said John, of nine acres which John le Voulare formerly held in the vill of Kyngeston, to hold for their lives at an annual rent of two shillings.

1362, 24 Apr., Sund. after f. of St. George, 36 Edw. III. In Chapter at Bradenestoke.—Release from Geoffrey the Prior* and the Convent of Bradenestoke to Simon le Beste of Ethelhamptone, clerk, of all actions against him. Very small fragment of seal.

1362, 24 Oct., 36 Edw. III. At London ("Loundres").—Acknowledgment (in French) by Godefrey Foljambe, knt., Walter de Colmptone, clerk, and William de Nessefeld, of the receipt from Thomas Moigne, knt., of ten marks, in part payment of a larger sum.

1363, 31 March, Friday after f. of Annunc. B.M., 37 Edw. III. At Bromham.—Grant by John de la Roche, knt., to John atte Halle of Whetham of all his standing ("statum") which he had from Ralph Scut (?) of Sende in the lands and tenements which were formerly John Fynamour's in socage, and which came to the said Ralph as next of kin to William son and heir of the said John Fynamour, in wardship of the minority of the said William.

1363, 3 May, Wedn., f. of Inv. of H. Cross, 37 Edw. III. At Calston.—Acknowledgment by William la Zouche, lord of Haryngworthe, and Adam Darderne, rector of the church of Berughby, of the receipt from John atte Hale of Whetham, Rob. Blake, Will. de Wychemptone, Rob. Felawe, Rob. atte Slade, and Rob. Asser, of £10 in part payment of £40.

1363, 10 Dec., Sund. after f. of Concept. of B.M., 37 Edw. III. At Wynterbourne Basset.—Grant by William Hereberd of Budestone

* This Prior is not recorded in Dugdale.

to William de Byde, clerk, of his lands and tenements in Wynter-
bourne Basset. Round green seal of arms; a bend, thereon ^{Major}
a besant, in chief a ——— (?), in base a mullet; "Sigill' Will'i Herberd ^{Money-}
de Budestō." ^{Kyrie.}

1365, 24 March, Mond. before f. of Annunc. B.M., 39 Edw. III. At Yatesbury.—Release from John Russel of Segree to John David of Yatesbury of all his right in forty shillings of annual rent from the lands and tenements which the said John David and Albreda his wife had by feoffment of Walter Frene, Ralph Bluet of Somerford Mautravers, Thomas Reyner, and Will. Balle of Clyvewancy, in Yatesbury.

1365, 1 Aug., Friday, f. of St. Peter ad Vinc., 39 Edw. III. At Segre.—Agreement between John Burdoun, son and heir of Edm. Burdoun, and John Russel of Segre for the substitution of an annual payment by the former of forty shillings from the manor of Oldebury near Dudmerton in the county of Gloucester, to the latter for his life, in place of a like annuity from the manor of Yatesbury.

Same date and place.—Release from John Smalman and Roger C . . . (?) to Thomas Reyner of their right in the manor of Oldebury with the advowson of the church.

1366, 15 Feb., morrow of St. Valentine, 40 Edw. III. At Northleche.—Grant from John called le Clerk of Oldecannynghes to Geoffrey son of Thomas Betone of the same of a tenement in Oldecannynghes, formerly William called le Clerk's. Witnesses, John Cloptone of Northleche, [etc.].

1369, 1 June, morrow of f. of Corpus Christi, 43 Edw. III. At Wetham.—Grant from John Taseworth and Alice his wife to Robert Ballardes of Wetham and Margery his wife of two crofts called Taddegotesleyen lying together near the cross called Danyescroys; paying annually twenty shillings.

1374-5, 48, 49 Edw. III.—Court-rolls for the manor of Magna Marcle.

1376, 13 May, 50 Edw. III. At Ernele.—Grant from William Gyle of Ernele and Juliana his wife, sister of the late Will. Gundray of Cicestre to Sir Will. Loughteborghe rector of the church of Ernele, and Will. Warde, chaplain of the same, of a messuage and 9½ acres of land in Ernele, and an annual rent of 6½*d.* in a tenement formerly held by Adam Tanner without the south gate of Cicestre; all which the said Juliana acquired from her said brother Will. Gundray. Witnesses, Thomas de Hunstan, senior, John de Ernele, [and eight others].

1376, 5 July, Sat. after f. of SS. Peter & Paul, 50 Edw. III. At Petresfeld.—Bond from Adam Peyntour of Guldford to John Wise of Mapuldurham in £10 to be paid to him at Petresfeld at Michaelmas.

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1376, 2 Oct., Thursd. after f. of St. Michael, 50 Edw. III. At Echelamptone.—Delivery of seisin by master Robert Wychford, Michael Skyll yng, Walter Skyll yng, Peter Cherletone, and Walter Cherletone, to John Malewayn of Echelamptone of all the lands and tenements which they had by feoffment of John Malewayn, his father, in Echelamptone, Wedamptone, Erchesfonte, Conek, and Eskote. Fragment of one seal; the Virgin and Child under a canopy.

1376, 8 Nov., Sund. after f. of All Saints, 50 Edw. III. At Cicestre.—Quit-claim from John Gundray, son of Roger Palmere and of Juliana Gundray of Ernele, wife of the said Roger, to Sir Will. Lughtebourgh, rector of the church of Ernele, and Sir Will. Warde, chaplain of the same, of all his right in the messuage and land conveyed to them by Will. Gyle and Juliana mother of the said John Gundray [by the deed dated 13 May in this year, *supra*]. Witnesses, Sir John Vyncent, canon of the church of Cicestre, Sir John Skyrel, rector of the ch. of St. Andrew, Cicestre, John . . . ton, notary public, [etc.]. Round black seal; two female figures [*i.e.*, the meeting of B. Mary and Elizabeth].

1376, 16 Nov., Sund. after f. of St. Martin, 50 Edw. III. At Cicestre.—Quit-claim from William de Lughteburgh to William Warde of his right in the messuage and land at Ernele conveyed to them jointly, *as above*.

1377, 6 Apr., 51 Edw. III. At Marl[borough].—Acknowledgment that Rob. Flawe, constable, John atte Halle and Will. Fynamour, “probiores ville de Whetham,” have paid to Will. Heycroft, one of the collectors of the subsidy of four pence granted in the last Parliament, eight shillings and eight pence for 26 lay persons men and women above 14 years of age.

This document is very interesting, as showing that whereas there is now at Whetham only the manor-house there was formerly a hamlet there.

1378, 4 Sept., 2 Rich. II. At Mertone.—Grant from William Sukelyng, John Payn, and John Humbrecolt to Peter Tebaud of the manor of Mertone in Wiltshire, which formerly was John Malwayn’s, citizen of London.

1379, 29 Jan., Sat. after f. of Conv. of St. Paul, 2 Rich. II. At Allekanynges.—Quit-claim from Richard Betone, son and heir of Geoffrey Betone of Allekanynges, to Margery Lymedene of all his right in a messuage and land in Allekanynges which were formerly his father’s.

1380, 13 Apr., 3 Rich. II. At Hertone.—Grant from Simon Beste of Herton to John Boteler, rector of the church of Devyses, John Wakelyng, chaplain of Canynges Episcopi, and Thomas Newman, chaplain of the church of St. Mary Devyses, of all his lands and tenements in Nostede and Wyke in the hundred of

Canynges Episc., and in le Parklondes, and all his burgages &c. in Major the vill of Devyses. Round red seal; a shield bearing a cross; Money-
 "Sigillum . . ." (*not the name of the grantor*). Kyrle.

1380, 15 May, Tuesd. in f. of H. Pentecost, 3 Rich. II. At Echelamptone.—Grant from John Malewayn of Echelamptone to Thomas Spencer of Combe of all the lands and tenements which formerly were Walter Hogyn's in Echelamptone; rendering annually one rose on St. J. Bapt. day. Round red seal of arms; a bend between eight besants; inser. illegible.

1381, 22 Jan., f. of St. Vincent, 4 Rich. II. At Allecanynghes.—Grant from Sir John Levedun, rector of the church of Allecanynghes to John Ayleward, chaplain, of a messuage and land in the vill and fields of Allecanynghes, which came to the grantor on the decease of his sister Margaret. Witnesses, Barthol. Malwayn, [etc.]. Round red seal; the Virgin and Child; "S' Joh's . . ."

1381, 20 March, 4 Rich. II. At Yatesbury.—Grant from John Burdone to Nich. Waas vicar of Puryton and Tho. Smert rector of Tockenham and John Walcote, chaplain, of the advowson of Yatesbury, and the manor of Yatesbury called Westcourt, in trust for John Russel, who now holds the manor for life, and Agnes the grantor's mother who was the wife of Edmund Burdone.

1381, 3 June, Mond. in week of Pentecost, 4 Rich. II.—Quitclaim from Robert Berlee of the county of Somerset to John atte Halle of Whetham of all actions against him. Small round white seal of arms, broken and indistinct.

1382, 10 May, Sat. before f. of Ascension, 5 Rich. II. At Echelhamptone.—Grant from John Malewayn of Echelhamptone to Richard Drengre and Cristina his wife of a messuage and croft, etc., an acre of meadow in la Hanfulmede, lately Henry le Hert's, with pasture for one cow in la Nyclese; paying annually 3s., and to the Prior of Bradenestoke 2s.

1382, 27 July, Mond. before f. of St. Peter ad Vinc., 6 Rich. II. At Whetham.—Grant from Robert Felawe and Thomas Felawe to John atte Halle of Whetham and Margaret his wife of all the lands and tenements which they have by gift of the said John in Whetham, Calne, Quemerford and Stokkelegh. Witnesses, John de Roches, knt., Will. Fynamour, [and five others].

1383, 3 Apr., Frid. before f. of St. Ambrose, 6 Rich. II. At Allcanynghes.—Grant from John Ayleward, chaplain of Allcanynghes, to Sir Rich. Forshawe, priest, Simon Weste of Hortone, Will. Spendloue, and Sir John (*blank*), priest, of all his lands and tenements in Allcanynghes, which he had by feoffment of Sir John Lyvedene, late rector.

1383, 12 Apr., 6 Rich. II. At Whetham.—Grant from William Fynamour to Rob. Shetere and Edward Badecok of two crofts at

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Stokkelegh called Pynnokeslegh, a parcel of meadow in Kyngemanned called Fynamoureslut, &c. to hold for the life of the said Robert, paying yearly nine shillings.

1383, 9 July, Thursd. after f. of Transl. of St. Tho. M., 7 Rich. II. At Allcanynges.—Quit-claim from Richard Betone, chaplain, son and heir of Geoffrey Betone of Allcanynges, to Simon Beste of Hortone of all his right in a messuage &c. in Allecanynges.

1383, 21 Aug., Frid. after f. of Assumpt. B. M., 7 Rich. II. At Swalelyve.—Acknowledgment by Katherine, widow of Thomas de Wykham of Swalelyve, and Robert Wykham, of the receipt from Thomas Prowet, in the name of Alexandra who was the wife of John Leverich of Kyngustone Seymor in the county of Somerset, of eight marks, in part payment of the rent for the last year of lands and tenements which she holds in Claverham, Somerset.

1384, 16 Apr., Sat. in Easter week, 7 Rich. II. At Hortone.—Power of attorney from Simon Beste, Alice his wife, John, Robert, William, Alice, Sibilla, their children, and Martin his son, to Thomas Beste their son, to receive seisin of the lands and tenements in Dyvises and in Parkoloundes near Dyvises, which they had by the gift of Sir John Botiler, rector of the church of St. John, Dyvises.

1384, 23 July, Sat. before f. of St. Jas. Ap., 8 Rich. II. At Whetham.—Grant from John Bremelham and Walter Shetar to John Auncell, Nicholas Heose, vicar of the church of Calne, and John Waltres, chaplain, of all the lands and tenements which they had by feoffment of Will. Fynamour in Whetham Fynamour, Stokkelee, Dypezate and Koumbis. Witnesses, John de Roches, knt., Philip Fitzwaryn, knt., [and four others].

1384, 25 July, Mond., f. of St. James, 8 Rich. II. At Fynamour.—Quit-claim from John Bremelham and Walter Shetar to the above-named feoffees of the property conveyed in the preceding deed.

1384, 31 July, Sund. before f. of St. Peter ad Vinc., 8 Rich. II. At Whetham.—Quit-claim from Will. Fynamour to the feoffees named in the preceding deed of his right in the property therein conveyed. Small round black seal; a hedgehog. [A hedgehog forms the Kyrle crest; it does not appear how a Fynamour came to use it, the crest of that family being a bull's head.]

1384, 6 Aug., Sat. before f. of St. Laur. M., 8 Rich. II. At Whetham.—Grant from John Auncell, Nich. Heose and John Waltres to Will. Fynamour and Agnes his wife of the property above conveyed.

1385, 13 March, 8 Rich. II. At Merton.—Grant from Helmyng Leget and Margery his wife to John Lovell, lord de Lovell and Holand, Sir John de Waltham, archdeacon of Richemound, Bernard Brocas, John del Hay, John Lyllebone, and Rich. de Havering,

knts., Rob. de Dyngle, Will. Purchace, Rich. Fode, Edw. Leget, Major Hen. Byshope and John Dakres, chaplains, John Levene, Alex. Money-Kyrle, Mounchacy, and John Tryppoke, of a messuage and one carucate of land in Merton near Wexcombe in the county of Wilts, with the advowson of the chapel of the said town. Witnesses, Henry Hynkepenne, [and six others].

1385, 25 Oct., Wedn. after f. of St. Luke Ev., 9 Rich. II. At Echelamptone.—Bond from John Malewyn to Matilda Stokes, lately wife of John Garton of Mynchynkynstone, in forty marks, of payment of 20 marks at three several times at Southbromham in the house of Will. Chamberlayn.

1386, 1 Apr., Sund. after f. of Annunc. B.M., 9 Rich. II. At Echelhamptone.—Acknowledgment by Matilda Stokes of the receipt from John Maleweyn of five marks, in full payment of the preceding bond.

1386, 20 July, f. of St. Margaret V., 10 Rich. II. At Calne.—Grant from Geoffrey Symple of Wynterbourne Whitcherch to John Blake of Quemerford of an acre of land in the field called Westyntone.

1387, 10 April (?), 10 Rich. II.—Grant from Richard Beby to William Werlowe (?) and Elina his wife of a cottage and land in the field called Wynnynges in the parish of Sedelesham. Witnesses, John de Ernele, Will. Wygestring, [etc.].

1387, 11 June, f. of St. Barnabas, 10 Rich. II. At le Northehethe.—Grant from William Troys de la Hethe and Eva his wife to Will. atte Halle of Whetham of the third part of a messuage and of a half-virgate of land in le Northehethe in the hundred of Chippenham which came to the said Eva as dowry after the decease of Will. Troys her late husband [*sic*].

1387, 16 July, Tuesd. before f. of St. Margaret V., 11 Rich. II. At Nustede.—Grant from John Brode of Vysewyke to John Trowe and John Voshe of the lands and tenements in Nustede and Cotes which were formerly Thomas Nicol's.

1387, 29 Sept., f. of St. Michael, 11 Rich. II. At Wynterbourne Basset.—Lease from Simon Beste of Hortone to John Brembere of his lands and tenements in Wynterbourne Basset with lands in Phippesdene, to hold for his life, at an annual rent of sixty shillings.

1390, 14 Jan., morrow of St. Hilary, 13 Rich. II. At Calne.—Quit-claim from Walter Hertland of Carswell in the parish of Newent to William Fynamour of Whetham of all his right in the lands &c. which were formerly — Sewale's in Ryddelawe and Vegham or elsewhere in the parish of Boxe.

1391, 18 Oct., f. of St. Luke Ev., 15 Rich. II. At Calne.—Quit-claim from John Poyntell of Bristol and Alicia his wife,

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daughter of John Dany of Yatesbery, to John Hertham of Bristol of all their right in the lands and tenements which Henry Hertham formerly held in Zatisbery (*sic*). Witnesses, Nich. Heose, vicar of Calne, Roger the bailiff of Calne, [etc.].

1392, 1 Feb. 15 Rich. II. At Ernelee.—Quit-claim from Henry Whushe and Joan his wife to Clement Gattthesmere (?) and Isabella his wife of their right in the messuage and lands in Ernelee called le Coukes, which they lately gave to the said Clement. Witnesses, John de Ernelee, [etc.].

1392, 6 Nov., Wedn., f. of St. Leonard abb., 16 Rich. II. At Chippenham.—Release from John Bleyk of Rydelawe and John Jackes of Coshamlonde to Will. Fynamour of Whetham of all actions against him.

1393, 24 Feb., f. of St. Matthias Ap., 16 Rich. II. At Wodelond.—Grant from John Taseward, of Whetham, to Richard Mannyng of Wodelond, Edith his wife and John their son, of the croft called Chynnokescroft at Stokle near the close called Ynlond, for their lives, at an annual rent of four shillings.

1394, 10 May, 17 Rich. II.—Grant from Matilda de Heyworth, for her life, to John de Hertham, burgess of Bristol, and Margery Hertevene, of her state in the lands &c. in Hertham near Cosham, Wilts, which she had by grant of James Daudeley, knt., lord of Redcastle ("Rubio Castro") and Helegh.

1394, 23 Sept., Thursd. after f. of St. Matthew, 18 Rich. II. At Wynterbourne Basset.—Lease from John Lupyate of Cosham and Alice his wife to John Sait, sen., of Wynterbourne Basset, and to the woman whom he shall have first married after date of these presents, for their lives, of their lands &c. of Fippesdene in Wynterbourne Basset, at an annual rent of 43 shillings.

1395, 2 Feb., i. of Purif. of B M., 18 Rich. II. At Whetham.—Lease from William Fynamour of Whetham, and Agnes his wife, to John Waryn of Hedington, for six years, of two crofts at le Brodes, rendering annually one rose at the f. of St. J. Bapt.

1395, 1 May. At Westminster.—Writ to the Sheriff of Wilts upon a plaint of John Brode against William Harryes, Cristina Peyntours of Tyddelsyde, Thomas Spenser, Henry Clakke and Robert Coofes for unjust disseisin, committed after the first voyage of King Henry son of John into Gascony, of a free tenement at Nustede, ordering him to bind over all the parties to abide trial before Will. Rikhill and Will. Drenchesle. Witness, Edmund, Duke of York, *Custos Angliae*.

1395, 1 July, 19 Rich. II. At Yatisbury.—Grant from John Poyntell and Alicia his wife to Philip Excestre of Bristol and William Holgrave of Wiltshire of all their lands, &c., in Yatisbury, which

the said Alicia had by gift of her father John Dany who acquired them from Edward Botelere, knt. Witn., Sir John Roche and Sir John Blount, knts., [and five others]. Major Money-Kyrle.

1395, 26 Nov., Friday, Morrow of St. Katherine, V. and M., 19 Rich. II. At Hertham.—Power of attorney from John Hertham, son and heir of Henry Hertham, to John Formage, of Calne, clerk, to give seisin to Sir Will. Hyworthe, rector of Blakedone, and Will. Holgrave, of Hiweye, of the lands conveyed to them [as above].

1396, 6 Jan., f. of Epiph., 19 Rich. II. At Yatesbury.—Grant from John Excestre of Bristol and William Holgrave of Hiweye, Wilts, to John Hertham of Yatesbury of the lands, &c., in Yatesbury which they have by the feoffment of John Poyntell of Devyses and Alicia his wife. Witn., Sir John Roches, and Sir John Blount, knts., [and three others].

1396, 27 Jan., 19 Rich. II. At New Sarum.—Bond in £50, by Statute Merchant, from John Maleweyne of Echelhamptone and Simon Cherlton, merchants of Wiltshire, to William Mulbourne, merchant of Surrey, for payment of £25 at f. of St. J. Bapt. next.

1396, 17 April, 19 Rich. II. At Yatesbury.—Grant from William Hyworthe, rector of Blakedone, and William Holgrave of Hyweye to John Hertham and Margery his wife of the lands, &c., in Yatesbury which they had by gift of the said John.

1396, 19 Dec., Tuesd. before f. of Nat. of our Lord, 20 Rich. II. At Calne.—Power of attorney from Robert atte Halle of Whetham to John Puttere de la Hethe to give seisin to Thomas Felawe of Chesingbury and John Waryn of Hedyntone of all his lands, &c., within the hundreds of Calne and Chippenham.

1397, 2 Feb. f. of Purif. of B.M., 20 Rich. II. At Whetham.—Grant from John Taseward of Whetham to Robert Scheotere of Stokkelegh and Alicia his wife of a croft called Derforlang at Taseward, for their lives, paying yearly for the first four years one penny, and afterwards four shillings.

This has been altered in faint interlineations to serve apparently as a draft for a lease to Thomas Flowre and Alice his wife.

1397, 2 May, Wedn. after f. of SS. Phil. and James, 20 Rich. II. At Mertone.—Grant from Peter Tebaud of Chestretone, Cambridgeshire, to John Malewayn of Echelhamptone of the lands, &c., which he had by gift of John Malewayn, esq., son and heir of John Malewayn, merchant and citizen of London, at Mertone near Wexcombe in Wiltshire, with the advowson of the chapel of the B. V. Mary there. Red seal of arms, very indistinct; a bar, in chief two demi-lions rampant; a charge in base, crest, and inscription indistinguishable.

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[*Temp.* Rich. II. ?].—Petition, in French, to Mons. de la Souche and de Haryngworthe, from William Fynamour, a tenant of the manor of Kalstone, setting forth that whereas he holds of the said manor a tenement and land at Stokkeleye at an annual rent of 10s. 10d. with suit of court, and other services, the moiety of which is in the hands of Rob. Blake, he has been distrained on for the whole ; prays therefore for relief.

1400, 11 June, f. of St. Barnabas, 1 Hen. IV. At Merton.—Acknowledgment by Peter Tebaud of the receipt of £20 6s. 8d. from John Malwayn, in part payment of a larger sum.

1401, 25 July, Tuesd., f. of St. James, 2 Hen. IV. At Hakleston.—Grant by Richard Hendy of Hakleston to John Malewayn of Echelhampton, Alicia his wife and Roger their son, of land in Hakleston, and a messuage and virgate in Combe.

1402, 29 May, Monday after f. of Corp. Christi, 3 Hen. IV. At Echelampton.—Release from William Tebaud, son and heir of Peter Tebaud and of Joan his wife, one of the sisters and heirs of John Malewayn, esq., to John Malewayn of Echelhampton of all his right in the property conveyed in the deed of 2 May, 1397, *supra*.

1404, 11 June, Wedn., f. of St. Barnabas, 5 Hen. IV. At Burytone.—Release from William atte Mere of Chalughtone and William Monck of Burytone to John Wyxe of Burytone and Margaret his wife of lands, &c., in Burytone which they had by the gift of John Wixe, father of the said John, and Agnes his wife.

Same date. At Stokkelegh. (The date is said to be *Thursday* but Wedn. was the f. of St. Barnabas.)—Grant from William Fynamour to Edward Badecoke of Stokkelegh of the croft called Pynnolesleye, to him and his wife Cristina for their lives.

1405, 20 Sept., 6 Hen. IV. At Whetham.—Grant from John Fynamour of Whetham to John Pere, clerk, and John Obetone of Budestone of a messuage and carucate of land in Whetham which were lately John atte Halle's.

1406, 20 April, 7 Hen. IV.—Power of attorney from John atte Lee, John atte Hone, and Thomas Daltone, chaplain, to William Rumbregge, to give seisin to William Ernele and Isabella his wife, of the manor of Ernele in the parish of Sydelesham, which they had from John Cotes, John son of Will. Cheyne, senior, and Will. Aldefeld.

1407, 19 April, 8 Hen. IV.—Bond from John Malewayne to Robert Hackestone, citizen and grocer of London, in £16, for payment of £11 at three several times by the f. of St. Martin next.

1407, 28 May, Saturd. after f. of Corpus Christi, 8 Hen. IV. At Echelhamptone.—Grant from John Malewayn of Echelhamptone to Roger Malewayne, Richard Malewayne, Simon Charlton and William Auncel, of all his lands, &c., in Echelhamptone, Wodehamptone, Conekes, Erchesfontes, Escote and Devyses, and all that came to him from Peter Tebaud (as in the deed of 2 May, 1397, *supra*). At Major Money-Kyrle.

1407, 30 June, Thursd. after f. of SS. Peter and Paul, 8 Hen. IV. At Echelamptone.—Grant from Peter Balhon of Allecanynnges to John Malewayn of Echelamptone and Alicia his wife of a messuage and various lands in Echelamptone.

1407, 14 March, Mond. after f. of St. Gregory, 8 Hen. IV.—Bond from Henry Coft . . . merchant of Bristol, for payment to Will. Fynamour of a loan of £20.

1407, 8 Sept., f. of Nativ. of B.M., 8 Hen. IV. At Calne.—Release from John Formage of Calne to John Grene, chaplain, of his right in the tenement called Pynelesplace, and in various lands, &c., which he had by the gift of John, son and heir of David Patteforde.

1412, 31 March, Thursday before Easter, 13 Hen. IV. At Devyses.—Acknowledgment by Alicia Brode of Nustede, wife of John Felde, of the receipt of 13 marks and 18*d*. from Robert Beste, in part payment of 25 marks for the reversion of two virgates of land in Nustede.

1412, 8 Sept., Thursd., f. of Nativ. of B.M., 13 Hen. IV. At Calne.—Lease from William Fynamore of Whetham to John Nywman of Hedyngtoneswyke of three crofts in Whetham, for six years, rendering yearly one capon at the f. of St. J. Bapt. Curious small red seal, a winged figure, inscr. doubtful.

1413, 29 Sept., Friday, f. of Mich., 1 Hen. V. At Whetham.—Lease from William Fynamour of Whetham to Lysina Wodhouse of a messuage in Cowhym, with three crofts, for the term of her life, paying yearly ten shillings.

1413, 30 Dec., 1 Hen. V. At Westkyngtone.—Bond from Robert Belesyre of Rengeworthe in the parish of Thornby, Glouc., to Thomas Prue of Westkyngtone and Nicholas Kyngton for repayment of a loan of £10.

1414, 25 March, f. of Annunc. B.M.V., 2 Hen. V. At Nustede.—Grant from John Felde of Nostede and Alicia his wife, sister and heir of John Brode deceased, to Robert Beste of Burtone, of all their lands, &c., in Nostede, together with the water-mill called Neckysmylle. The first of two seals is lost; the second, round green seal, has the device of two hands crossed (not clasped) with these letters in capitals round it, which seem to baffle conjecture, "La fvl-lovet."

1417, 9 July, 5 Hen. V. At Devyses.—Grant from Walter Dene, clerk, to Thomas Spenser of Tydlesyde, Wilts., of all the lands and tenements in Devyses, Cotes, Hechelhamptone and Nustede, with a water-mill in Nustede, which he and Walter Sage, clerk, lately had by the gift of Ralph Goselyne.

1417, 8 Sept., f. of Nativ. of B.M., 5 Hen. V.—Grant from William Aldefeld to John Cotes and Thomas Nyman, parson of the church of Estychenore, of all the lands and tenements in the parish of Ernele which he and John Ernele lately had by the gift of John Bacchemere.

1417, 6 Oct., 5 Hen. V. At Cicestre.—Lease from William Aldefeld of la Manewode in the county of Sussex, as proctor of master Thomas Riggelegh, prebendary of the prebend of Somerlegh in the cathedral church of Cicestre, to William Neell and John Extone, citizens of Cicestre, of the land and meadow belonging to the prebend in the south suburb of Cicestre, for seven years, at the yearly rent of thirty shillings.

1419, 20 Sept., 7 Hen. V.—Lease from Thomas Pruet to Thomas Nyweman, otherwise called Thomas Chaldebury, and Nicholaa his wife, and John their son, for their lives, of all his lands and tenements in Chaldebury and Hynytone Martyn in the county of Dorset, paying yearly ten shillings.

Out of a total of 28 deeds dated in the reign of Henry VI. the following are those which may claim notice in this report:—

1423, 20 Nov., 2 Hen. VI.—Bond from William Ernele of Ernele, Sussex, gentleman, to Ralph Thorpe of Boscombe, Wilts., esq., in 100 marks, that John Ernele, son of the said William, shall when he shall have come to age confirm to the said Ralph and his heirs their possession of the manor of Bordonesballe and the manor of Burdonswere, Devon, and the manor of Oldebury and Dudmerton, Glouc.

1424, 24 Aug., St. Bartholomew's day, 2 Hen. VI. At Wetham.—Lease from William Finamor to Richard Marnar, *alias* Neuman, of the tenement called Depeetusplace, reserving half of the fruit of the apples in the garden, for the term of the life of the said Richard paying annually to the lessor four pence and to the Prior of Farley ten shillings.

1427, 2 Dec., 6 Hen. VI. At Ernele.—Conveyance from John Ernele, esq., to John Mychelgrove, esq., and Joan his wife, and seven other feoffees, of his manor of Ernele.

1429, 20 March; 1432, 10 Nov., Mond. before f. of St. Martin.—Court rolls of Alice Malewayn at courts of her manor of Echelhamp-tone.

Not dated.—Confession by Margery who was the wife of John Hertham that whereas he, having acquired the land called Botelerys in Jatisbury (*sic*) from John Poyntell (*see under 1396 supra*), left it by will to his daughter Joan, she forged another will, leaving it to herself and her heirs; but being married afterwards to William Botreaux, he desired her to give it to him, which she refused to do, saying it belonged to the said Joan who is a nun at Wilton, whereupon he went to Joan and induced her to give it to him for life at an annual rent of 6/8*d.* to be increased on her mother's death to 13/4*d.*; &c. The Confession ends thus: "Insuper recognosco ego Margeria predicta omnia facta per me et gesta de predicta terra vocata Botelerys in Jatysbury predicta a tempore mortis Johannis Hertham quondam mariti mei false, nequiter et contra conscientiam facta esse et gesta, unde veniam a Deo et ab heredibus meis exposco, supplicans universis presens scriptum inspecturis quatenus existant auxiliantes et suffragantes heredibus Johannis Hertham et Margerie uxoris sue ut terra predicta ab eis non auferatur seu subtrahatur, sed eis, prout deberet, legitime applicetur, in evitacionem periculi animarum suarum. In cujus rei testimonium huic presenti scripto sigillum meum apposui." Seal lost.

1431, 5 Nov., 10 Hen. VI.—Release from Will. Wappelade and Will. Asheby to Will. Ernele of all their right, by feoffment from him, in the manor of Ernele.

1432, 27 Feb., Purif. of B.M., 10 Hen. VI.—Conveyance by Will. Ernele to Rob. Sanage, rector of Ernele, and Will. Aldefeld of his manor of Ernele.

1434, 15 Feb., 12 Hen. VI. At Romese.—Power of attorney from Thomas Hochone of Romese, co. South., "gouldsmyth" to John Wexer to give seisin to Roger Juldewyn of land in Pageham, Sussex.

1436, 10 May, 14 Hen. VI.—Grant from John Fynemour to Will. Hogyn, clerk, rector of Bromham, and John Quyntyn of Stodde of all his lands in Whetham and elsewhere in the hundred of Calne. (*Torn.*)

1436, 19 July, Thursd. before f. of St. Margaret V., 14 Hen. VI.—Conveyance from Will. Hogene, rector of Bromham, and John Quyntheyne to John Fynamour and Joan his wife, daughter of Will Wychempton, of the manor of Fynamour at Whetham.

1439, 15 Jan., 17 Hen. VI.—Grant by Robert Hamptone of Brodeblontesdone, Wilts, gent., to John Golafre, esq., of a messuage and half-virgate of land at Buryblontesdone. Witnesses, Will. Warbulton, Thomas Fetiplace, and John Shotestroke, esqs., [etc.].

1443, 15 Apr., 21 Hen. VI.—Release from Will. Dancaster, of Spersolt, Berks, yeoman, to John Rogge of Branstone and four

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others of all his right in lands and tenements in Buryblontedone in the parish of Hyeworth, Wilts. Witnesses, Will. Fynderne, Will. Warbultone, and Peter Fetiplace, esqs., John Fetiplace, Roger Merlawe.

1449, 7 Feb., 27 Hen. VI. (*The first deed in English*).—Indenture of agreement between John Stoksell, of Acton, Middlesex, yeoman, and Johanna his wife, late the wife of John Fenamore of Whetham, gent., on the one part, and Thomas Fenamore, son of the said John on the other, that the former shall give to the latter all their right in the lands at Whetham which the said Johanna has as dower, excepting the lands called Depeyatez, the said Thomas paying to them yearly 43s. 4d.

1449, 18 Aug., Mond. after f. of Assump. of B.M., 27 Hen. VI.—The two parts of an indenture of a grant by Henry Smyth, clerk, and Walter Bachelor of Echelhamptone, to Thomas Newman of the same, and Isabella his wife, of all their lands and tenements in Echelhamptone which they had by the gift of Will. Beste, *alias* Martyn.

1460, 22 Nov., 39 Hen. VI.—Lease from Johanna Ernele, widow, and John her son, to Richard Bailly of Wynterbourne Basset, Isabella his wife, and Richard their son, of a messuage called Bydes, and lands and pasture &c. of the manor of Wynterbourne Basset, for their lives, paying annually 100s.

1462, 2 Edw. IV.—Court-roll of Magna Marcle.

1470, 12 Oct., 49 Hen. VI., “et readepcionis nostri (*sic*) regie potestatis anno primo.”—Grant by William Appowell, “Ducheman,” to Roger de Frefolke, co. Southampt., esq., and Thomas Faulkener, “jentyلمان,” of all his goods moveable and immoveable within the kingdom of England.

n.d.—Memorandum of descent in the Fynamour family: Gilbert had issue John, John had Robert, Robert had William, William had John, John had Thomas, Thomas had Roger “nunc superstitem,” and Adam Chamberleyne of Stokley gave all his lands in Combe, Tasewurthe and Stokley, to the aforesaid Robert, “et illa habuit ex dono et feoffamento predicti Johannis Fenamour filii predicti Gilberti.”

n.d.—Petition, in English, to the Lord Chancellor from John Quinteyne, “servaunt unto the ryght high gracyous and myghtie Prynce my lord of Gloucetur in the kepyng of the forest of Pevesham,” with relation to a summons to appear before the Chancellor at the suit of John Fenamour, “by the storyng and temptacion of one William Temse” for the re-enfeoffing of certain lands. Prays for his help “consideryng that hit ys grete perel to dissert eny ryghtful heyre fore the malyse of stepdames and covetyse popul.” [Margery Fenamour, widow of William Fenamour, conveyed to Will. Temse and others her right in land at Whetham, 28 Jan. 1440.]

n.d.—Terrier of the lands and tenants in the east, west, and south fields in Pighteslee, [Northamptonshire].

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The following eight deeds are noted out of twelve belonging to the reign of Edward IV. :—

1465, 1 May, 5 Edw. IV. At Whetham.—Conveyance from Will. Kayser and Agnes his wife, daughter and heir of Will. Auncell, brother and heir of John Auncell, to Roger Fynamour, of all the lands and tenements which the said late John Auncell and Nich. Hoose late vicar of Calne, and John Walter, chaplain, had by the gift of John Bremelham and Walter Shetare, and the latter had by the gift of Will. Fynamour in Whetham, Fynamour, Stokle, Dypeyate, and Combe; which John Auncell survived his co-trustees. Witnesses., Roger Tocotes, knt., John Wylughby, knt., George Darell, knt., John Wroughton, esq., Henry Longe, esq., [etc.].

1467, 11 March, 7 Edw. IV. At Yattysbury.—Grant from Will. Goore of Melkysham, esq., to Rich. Kyngesmyll and Hugh Budyll of all the lands &c. in Yattysbury which were lately John Hertham's and Margery his wife's. Witnesses, Roger Tokettys and Rich. Darell, knts., [etc.].

1467, 7 Nov., 7 Edw. IV.—Conveyance from John Goring, Humphrey Heuster and Tho. Onewyne to John Lunsford and Margaret his wife late wife of John Ernele, esq., deceased, of the manor of Ernele, which they had, together with six other trustees deceased, by feoffment of the said John Ernele. Witnesses, Tho. Tawke, John Asple, Will. Ryman, John Wode, jun., esqs., Tho. Aleyne.

1469, 20 July, 9 Edw. IV.—Bond from Will. Temys to Roger Fynamour in £100 to abide by the decision of arbitrators respecting a dispute upon the conveyance by John Bremelham and Walter Shetare [of 23 July, 1384, *supra*].

1472, 29 Sept., f. St. Mich., 12 Edw. IV.—Two bonds for £10 from Alex. Blake of Calne, gent., Roger Fynamour, gent., and John Norman of Stodley, yeoman, to Will. Temse, the first fixing Mich. 1473 as the time for payment, and the other Mich. 1474.

1480, 7 Jan., 19 Edw. IV.—Grant from John Ernele, esq., to John Clerkson, sen., and John Inglere, great-grand-children of John Ernele, and their heirs, of the manor of Ernele.

1494, 17 Apr., 9 Hen. VII.—Extract from the Court-roll of Wynterburne Bassett that from time immemorial John Erneley, esq., and his ancestors have had common in the common pasture for twelve beasts, two horses, and eighty sheep.

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1500, 16 Oct., 16 Hen. VII. At Calne.—Grant from John Blake, esq., to Will. Raynold of Troubrigge of his capital messuage in Comerford. Witnesses, Rich. Beauchamp, knt., lord de St. Amand, Rob. Willughby, knt., lord Broke, Edw. Darell, knt., Christopher Wroughton, knt., Tho. Longe, esq., Rob. Baynard, esq., John Michell.

1503, 7 April, 18 Hen. VII.—Grant from Rich. Fynemore, of Chiriell, Wilts, gent., to his brother Walter Fynemore of all his lands &c. in Laccoke and in the fields called Treyislondes. Witnesses, Rich. Bewchampe, knt., lord de St. Amand, Tho. Longe, knt., John Longe, esq., John Burley, esq., John Bakone, gent.

1503, 20 April, 18 Hen. VII.—Release from Thomas Philippps of Stokeley, husbandman, to Walter Fynemore of Bromeham of all his right in the lands conveyed in the preceding deed.

1504, 4 Dec. 20 Hen. VII.—Bond from Will. Raynolds of Calne, yeoman, to Rich. Fynamore in £60 that he will suffer a recovery to be had, “after the course of recoverees now a dayes used at the comen lawe,” of the manor of Comerford.

1507, 27 March, 22 Hen. VII.—Articles of marriage, in English, between John Ernley, son and heir apparent of John Ernley, of Fostbury, esq., and Luce daughter of Thomas Coke of New Sarum, merchant. Coke covenants that within fourteen days after the marriage he will convey lands of the clear yearly value of ten marks, and, if desired, will buy them back afterwards at 17 years’ purchase; and on the day of the marriage he will pay six score pounds and household stuff to the value of ten pounds, and will find meat, drink, and apparel for the said Luce on the day of marriage. (*Tattered.*)

Attached to these articles is a conveyance by Thomas Cooke to feoffees, John Ernley of Manwode, esq., and Edward Banester of Ibbysworth, of lands in Kyngysclere and Buryton and Burbage, dated 1 July in the same year.

1523, 1526, 1529, 1530. 15, 18, 21, 22 Hen. VIII.—Court-rolls for the Court of Queen Katherine as lady of the Manor.

Later rolls, which are but few, appear to begin in 1656.

Out of twenty-one deeds belonging to the reign of Henry VIII. fifteen are here noted.

1524, 28 June, 16 Hen. VIII.—Acknowledgment by Roger Framptone, gent., cousin and heir of James Framptone, esq., lately deceased, that he is bound for payment at Mich. next of £300 to Charles Bulkeley, gent., for merchandise bought by the said James in the Staple of Westminster. Signed “*Per me, Roger Frampton.*”

1526, 16 Aug.—Grant by Walter Grey, gent., patron of the chantry of Bemister, Dorset, to John Ernley, esq., and William Page, gent., of Devyses, of the next presentation to the chantry on its avoidance, for one turn only. Major Money-Kyrle.

1527, 3 Jan., 18 Hen. VIII.—Indenture between John Grave, Prior of the house and church of B. Mary V. and St. Thomas M. at New Place near Guldeford, Surrey, and Edward Newbe, chaplain, by which the former lease to the latter their chapel of Pyrbryght with the houses appertaining thereto and all the tithes and offerings, for the term of his life, at an annual rent of two shillings, he providing bread, wine, wax, frankincense and myrrh, and all necessities for the altar, and serving the Chapel himself unless ill or absent by special licence from the Prior; also keeping the chancel and houses in repair. “Ir[rotulatur] coram me Will^{mo} Cavendissh, audit.” The words of the dedication of the Priory to St. Thomas the Martyr have been partially erased.

1531, 1 Dec., 23 Hen. VIII.—Lease (in English) from Thomas, Abbot of the Monastery of our B. Lady in Stanley, to Walter Fynamour and Richard Fynamour his son, of the close of pasture called Westeclose and the close of meadow named Dunlow, with the tithes of the same, for their lives, at an annual rent of sixty shillings.

1537, 8 Nov., 29 Hen. VIII.—Conveyance from William Goddard of Schordiche, Middlesex, gentleman, to Alexander Haydoke, of Bampton, Oxon, gentleman, of his manor of Bury Blondesdone, Wilts; with a warranty against the Abbot of Westminster. [A licence to Haddocke’s widow, Jocosa, to hold the third part of the manor after her husband’s death, upon payment of a fine of 42s. 9d., was granted 29 Nov. 1544 *an.* 36. There are subsequent deeds relating to the same family and manor in the time of Q. Elizabeth.]

1539, 4 Feb., 30 Hen. VIII.—Lease from the Dean and Chapter of Sarum, rectors or proprietors (“sive proprietarii”) of the parish church of Cannyngs Episcopi, to John Ernley, of the same, esq., of the tithes of corn from the field called Burton and Estonfeld, and also the tithe of lambs and wool, for the term of 51 years, paying yearly for the former £13 6s. 8d., and for the latter £28 13s. 4d.

1541, 1 March, 32 Hen. VIII.—Acknowledgment (in English) by Sir Richard Lyster, knt., Warden of Claryngdone, Grobele [Pen]chnet, and Bukholt, of the receipt from John Erneley, esq., late sheriff of Wilts, of £19 14s. 2d., for four quarters’ wages due at Easter and Michaelmas last, and £10 for twenty loads of hay for the sustentation of the King’s deer in the park of Claryndon for the winter.

1541, 24 May, 33 Hen. VIII.—Grant, by sale, from Richard Wysdom, of Wyndelseham, Surrey, husbandman, to Thomas Chowtere of the same, of a void piece of ground called Longcroft, paying four pence yearly.

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1542, 23 Dec., 34 Hen. VIII.—Release from Anthony Lee, knt., for a certain sum of money, to Robert Lee, of all his right in three cottages, a close called Tankerds Orchard, and an acre of pasture called Pillerds Herne, in Warwyk, and in all the lands which belonged to John Lee, deceased, father of the said Robert. Signed.

1543, 35 Hen. VIII.—Accounts of the Sheriff of Wilts, summoned to appear in the Exchequer on the morrow of Easter.

1545, 28 Jan., 36 Hen. VIII.—Bond from Walter Crowche, clerk, upon his institution on the presentation of Rich. Bridges, esq., to the benefice of Codford Peter, in £200 to John Erneley, sen., esq., who has become bound in a like sum to the Bishop of Salisbury, that he will keep him harmless against all contrary proceedings, or that he will resign the living into the hands of the bishop upon being required so to do. Signed by Crowche.

1545, 12 July, 37 Hen. VIII.—Indenture between John Ernle, Walter Skylling, Will. Button and Ambrose Dautesey, commissioners for the anticipation of the third payment of the subsidy granted by Parliament, and William Ernle, the High Collector, containing the names of the petty collectors appointed for the several hundreds, with the amounts to be levied in each, amounting in the whole to £187 10s. 8d.

1545, 12 Sept., 37 Hen. VIII.—Bond from Ambrose Dautesey, of West Lavyngton, esq., and Geoffrey Dormer of Collyngbourne Valens, gent., to John Ernle, late sheriff of Wilts, in £20, for the payment by the said Geoffrey "at the founte stone of Polles church yn London" on the fourth day after the 8th day of St. Michael next of £7 and 18d., arrears due to the King from the manor of Collyngbourne Valens.

Memorandum of lead taken from certain churches, cloisters, bell-towers, &c., of dissolved monasteries for the King's use; viz. at Byndon, Dorset, 30 fodder 200 lbs., at Pilton, Devon, 9 fodder, and at [the Hosp. of St.] John, Exeter, 26 fodder 356 lbs.

1547, 16 May, 1 Edw. VI. } Indentures about the appointment
1551, 1 April, 5 Edw. VI. } of the petty collectors of subsidies
as in 1545, *supra*.

1547, 1 Oct., 1 Edw. VI.—Return to the sheriff of Wilts, Richard Scrope, esq., by the bailiff and burgesses of Chippenham of the election of John Assheley and Francis Goldesmyth, esq., as representatives of the borough in Parliament.

1551, 16 Oct., 5 Edw. VI.—Assignment by John Davys, of Westminster, gent., to John Alridge, otherwise called Annetts, of Byshoppes Cannynge, husbandman, of the remaining term of 60 years which he has in a lease made by Nicholas Shaxton late Bishop of Sarum to John Shaxton, esq., his brother, 6 July, 1538, 30 Hen. VIII., of all the demesne lands &c. of his lordship of Bishoppe Cannynge.

1553.—Sheriff's accounts for 7 Edw. VI. and 1 Mar. to be rendered in the Exchequer on the morrow of St. Michael.

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1554, 20 March, 1 Mar.—Return to the Sheriff, John Erneley, of the election of William Wroughton, knt., and John Marvyn, knt., as representatives of the county of Wilts in Parliament.

19 March.—Return of the election of Rich. Forssett and Christopher Dismers as representatives of the borough of Hatresbury. These names are substituted in the place of others which have been erased.

17 March.—Return of the election of Rich. Fullmarston, esq., and Ed. Rous, knt., as representatives of the borough of Great Bedwyn.

[*Temp. Phil.* “An order . . . [*torn off*: to be observed] *et Mar.*] within the markett of [Est Lavington?]

“1. Fyrst before the said markett do begyne the Justices of peaxe (*sic*) [and] officers of the said markett shall call before them the most parte of such as hathe grayne ther to sell, and to [*sic*] require them in the Kinge & the Quenes Ma[jes]ties names to confer together for some reasonable price for ther said graine to be sold ther the next [?] daye, and thervpoone that no other persone havinge graine to sell ther that daie sell not above the said prices so before apoynted by the said sellers.

[*Added in margin by another hand, in red ink*: Nota, to sett no price by commandment but by honest perswasione yf ye may.]

2. Item that no manner of persone bye no manner of grayne before the howre of ix of the cloke, at which time ther shalbe a bell to be towlde by the officers ther by xx^{ti} strokes.
3. Item that after the seassyng of the said bell it shalbe lefull for all manner of persons to bye whet & all other manner of grayne for the necessary provysione of ther owne howses, so that no man bye above ij busshels of one kynde of grayne for hys sayd provysyon except he declare some suffycient cawse to the said Justices or offecers (*sic*) ther beyng for that same tyme.
4. Item that no baker, brewer, badger, ne anye other persone which byethe anye grayne too sell the same agayne bye no manner of grayne, ne make no secret promese or bargayne for the same within the said markett or els where, before the howre of xi of the cloke, at which tyme the afforesaid bell to be told likewise bi xx^{ti} strokes, after which tyme it shalbe lefull for all them to bye such corne and grayne as shalbe thowght convenyent by the officers ther.
5. Item that no badger, baker, ne brewer bye any manner of grayne within the sayd markett excepte the [sayd badger, *interlined*] have lycence so to do by iij Justices of the peaxe next adioynnyng wher they or anye of them dothe dwell, & to show ther said lycence to the officers

of the said market before thei do bye anye ther, apon payne of forfeiture of the sayd grayne, & ther bodyes to be imprisoned.

[*Added in margin, as above* : Nota, y^e bruer & baker to have a testimonialle of y^e mayer & other hed officers wher they dwell.]

6. Item that no manner of persone bye no whet ne other manner of grayne [but] onlie in the faire or market, nor carey or cause to be caryed any manner of grayne [but] one the market dayes onley, apon payne of forfeitur of the said grayne, [& ther] bodyes to be imprisoned withowte bayle or mayneprise tyll the Counsels [pleasure ?] be knowene in the same.

[*The words nor carey—onley are underlined, and this note written in the margin* : Nota, Unresonable that this . . . (?) a man may not cary his owne corne to any place but upon y^e market daye onley.]

7. Item that no baker, bruer, badger, ne other dryver of corne do not lod ne dryve any more horses in one daye owte of the said market then is appoynted to [hym] by the sayd Justices or other officers ther.
8. Item that no manner of person bye no grayne within the said market havynge sufficient of hys owne, excepte to brynge as much of hys owne grayne to the said market ther to be sold at reasonable prices.

Thys to be proclemed openley in your market.

These shalbe streightlye to charge & commaund in the Kynge & the Quenes Ma[jes]ties names that all manner of persons that hath no dwelling places to enh[ab]it in but do lyve wandryng & vagraunt abroad, & all other pore & impotent persons, repayre & goo toward suche places imediatlye wher thei were borne & hathe dwelled last by the space of iij yeres, ther to be provided for accordyng to the lawes of thys Realme, and all and every of them that shalbe fownd doinge the contrarye to receve suche punysshment as is provyded in that behalfe by the mayers, baylyffes, & constables, and other their Ma[jes]tes ministers apoynted for the same, as they and every of them wyll advoyd the daynger therof and make further aunswer at ther vttermost perill."

Two pages, on paper ; followed by lists of juries summoned at courts of the hundred of Swanborough.

1574, 10 June, 16 Eliz.—Deed of sale by Matthew Smyth, of the Middle Temple, esq., to Thomas Kyrll of Graies Inn, esq., of the manor of Marcle Magna, and the advowson of the vicarage with the Chapel ("cum capella"). Signed by Smyth and Kyrll.

1577, 11 Feb. 19 Eliz.—Letters patent, reciting a grant made by Edmund [Bonner] Bishop of London 24 Sept. 37 Hen. VIII. [1545] to John Broughton, of Orsett, Essex, gent., of the whole manor of Orsett, for 60 years at a yearly rent of £20, and now granting the

same (which has come to the Crown by virtue of an Act of Parliament) upon expiry of the said term to William Holstock, esq., Controller of the Admiralty, for 21 years, at the same rent. Major Money-Kyrle.

1589-1592.—A parcel of receipts for payments from the rectory of Staunton Fitzherbert, Wilts, for the subsidies granted to the Crown by Convocation; with an interdict pronounced by the Dean and Chapter of Sarum, collectors of the subsidy, against the parish, dated 23 Oct., 1589, for non-payment of the sum due on the 2 Oct. preceding, “mandantes ne quis in eadem ecclesia divina celebret aut celebrare presumat donec nobis aut vicecollectioni nostro in hac parte legitime fulcito de predicta secunda parte subsidii predicti et aliis expensis propter non solutionem ejusdem fuerit plene satisfactum”! The receipt follows for this second payment, amounting to 18s. 2½d.

1595, Sept. and Oct.—Court-roll of John Ernely's Manor of Cannings Episcopi.

1601, 6 Oct.—Letter from John Spenser at Stratton, to the tithingman of Berie towne *alias* Berie Blunston, ordering him, in pursuance of letters from the Justices of Peace, to collect within his tithing the sum of lviii^s “towards the coates, armour, furnishing, and conventinge of soldiers verie shortlie to be sent unto her highnes warres,” and to be present at Marlborough on Friday next by 8 o’cl. in the morning at the furthest to make payment. [Oct. 6 was Tuesday.]

1630, 4 Aug.—Articles of agreement for marriage between Humfrey Davenport, esq., son and heir apparent of Sir Humfrey Davenport, knt., and Sara Owen, one of the daughters and heirs of Sir Roger Owen, knt., concluded between Sir Cecill Trafforde, knt., on behalf of Sir H. Davenport and Frauncys Downes, esq., on behalf of Sara Owen. On three folio leaves of paper, each signed by Trafforde and Downes and by Roger Downes as witness on the third leaf.

6 Sept.—Surrender to the Crown by Sir H. Davenport of his messuages and lands in Sutton and Kettlesholme held of the manor of Macclesfield for conveyance to trustees in pursuance of the preceding contract of marriage.

1630, 28 Dec., 6 Car. I.—Deposition in the Court of Wards by Francis Gaynes, servant to David Jenkins, esq., of the visit of commissioners appointed by the Court to the house of Lewis Thomas of Bettus, Glamorganshire, deceased, to ascertain the treasure there, and that after some vain search Rachel Thomas the widow showed them a cupboard containing two parcels of gold amounting to £124 6s. 1d., and a chest in which the sum of £74 or thereabouts was found in gold.

1630-1, 23 March.—Deposition of Richard Hall, gent., about the coming of Thomas Kerne, esq., and Anthony Kerne his brother,

gent., with four or five others, armed with swords and pistols, on 18 March, to Bettus, to the church where John Thomas, son of the deceased Lewis, and the ward of the King, was at school, and seizing the child, locking the doors, and for a time shutting out Mrs. Thomas his mother, but at length going to the house and declaring that they would stay there as being in possession, where they still remain. "The said Thomas Kerne hath married with the mother of Edward Thomas who is the next heire, and is to inheritt all the lands of the said ward apparant if he happen to dye without issue." Sworn before Walter Pye, the deponent having gone to London to give this information.

1631, 27 Aug., 7 Car. I.—Warrant from the King to the Chapter of Gloucester Cathedral for the installation of Accepted Frewen as Dean. Seal, slightly broken; demi-figure of the King enthroned, with the royal arms above; on the reverse the King on horseback in full armour, with helmet plumed.

1674, 14 Apr. Dublin.—Commission from Arthur, Earl of Essex, Lord Lieutenant of Ireland, to John Ernle to be captain of a company of foot.

1679, 27 Feb., 31 Car. II.—Certificate of the admission of Sir John Ernely as a freeman of the borough of New Windsor, in the time of Roger Ollive, mayor, and Thomas Duck and Silas Seabron, bailiffs, paying the customary fine of 4s. 1d. Seal lost.

1683, 1 Oct.—Certificate by Lord Arlington that J. Tryon is admitted into the place of a gentleman of the King's Privy Chamber, and is therefore exempt from arrest and from being summoned on juries or to attend assizes or sessions.

1684, 24 Sept.—Warrant signed by Lord Godolphin and Sir J. Ernle, to Sir Rob. Howard, Auditor of the Exchequer, for payment of £380 8s. to Henry Guy, esq., for his Majesty's secret service without accompt.

1686, 11 Nov.—"Inventory of the goods, household stuffe, cattle, plate, jewells, and other chattles of Sir John Ernle, deceased, as it was taken and appraised at his house at Hom house," on a long paper roll. The ready money amounted to about £400: the jewels were very numerous and valuable; a necklace of fifty-four pearls was valued at £220, but 400 small pearls (amongst many others) were only valued at £5. Many rings (including two "Jumball rings"), medals (including three "outlandish gold meddals of considerable value," a gold medal of Q. Mary and another of K. James) and a picture of King Charles I. were omitted from valuation. Two "violl inns (*sic*) in cases, one base violl, two recorders" were appraised at £4, and "a studdy of books" at only £10.

Of this inventory there is a copy in a folio volume containing "An accompt, of the concerns of Sir John Ernle" drawn up for "Madam Esther Ernle his daughter," and which furnishes par-

particulars of receipts and all payments. The expenses for the funeral amounted to £242 14s. 3d., including for rings £34 7s. 6d., gloves £28 3s. 10d., for being buried in linen £5, for wine £28 19s., confectionery £16 0s. 7d., and to Mr. Garnons the herald-painter £17.

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Labourers' wages are shown to have been four pence a day.

In 1697 there is another inventory on a long parchment roll of the goods of the next Sir John Ernle then deceased.

n.d.—Copy, tattered and partially obliterated by damp, of an address of congratulation to Queen Anne “upon occasion of your last victory gain’d by your troops.”

LETTERS.

In a portfolio containing a selection of family papers the following letters are found:—

[1581 ?] “this last of August,” London.—Letter, unfortunately mutilated somewhat in the centre and at the outer edges, and from which the signature has been torn off, respecting some Roman Catholic gentleman, — More, charged with recusancy and suspected of acquaintance with Edmund Campion. Addressed, “To his very loving cosine Mr. Thomas Haydocke geve these.” “Good cosine, Beinge stayed heare by speciall occasions of business besyds my expectation, I shall not nowe be able to visitte you so shortlie as otherwyse I appoynted: Wherfor I thought it very convenient to lett you understand the state of my good father, which I would seek speedie redresse of by all frendes and meanes thatt . . . Upon his supplication made to the Councell table for the res . . . the weaknesse of his boddie and th’ infirmitie of his . . . order was taken thatt the deanes of Poules and Windsor [and Mr.] Beale, one of the clarcks of the Councell should accompanie . . . to the church. My Father dyd in this behalfe yeald and . . . hymselfe so farre fourthe as thai seemed to request . . . the two deanes dyd greatlie commend him savinge (?) thatt . . . to desier no more, butt would willinglie make certyfycatt . . . good conformitie. Mr. Beale proceede to furdre speache . . . It is nott this Mr. More thatt will content: You must confesse whatt Jesuets or massinge priests have beine [in] your house, and whether one Mr. Campion a Jesuet have beine ther or no, etc.; this done, you shall speedely be dispatched. He utterly denyed ether the comminge of such persons or the knowinge of Campion. For in very dead he doeth nott knowe hym. Whereupon he was committed agayne to the Marshalsie, and ther remanethe, as well to his great charge and expenses (whereof he haith little nead as you knowe) as allso to no lyttle danger of utter distraction and uncurable distemperature. As I travell heare, so wishe I thatt you would take some paynes in his behalfe in the contrie for hym. And for that my father hymselfe nowe in his best tymes speakethe. . . oftyne of his cosine Sir John Danvers, affirminge thatt [he] doubtethe nothinge but yf Sir John weare made . . . to hys lyinge in

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prison thus after his conformitie to . . . thatt he would by word or writtinge yf nott by . . . sollicit and intreate my Lord Treasurer (w . . . quyckelie do itt) for his dispatche. Seing you [live not] farre from Sir John Danvers house I thinke it . . . very well bestowed and nott without good hope . . . his worshippe will vouchesayfe ether by letteres or . . . to frende his poore kynsman to my L. Treasurer in [so] reasonable a suyte. His great courtesies would nott only confirme my fathers good opinion towards hym, butt also of good right bynde my father and all his to his worshippe by so speciall a benefytt. Beinge wyse I referre all to your discretion, knowinge your friendship I doubte nott of your willinge travell, butt committ you hartely to the Heighest. . . . ”

1588.—On the back of the copy of a letter from Q. Eliz. to the Earl of Pembroke, of 18 June, directing him as Lord President of the Council in Wales, to make preparations against proposed invasion is this list of “Names of such gentlemen as have served in the Lowe Cuntries and other places—

Mr. Henry Longe, Capt. of 150 in Flaunders.

Mr. Henry Thynne, coronet to Sir J. Norris.

Mr. R. Penrudocke, a lieutenant under Mr. Rowland Yorke.

Mr. Henry Errington, gent., of a company under generall Norris, and nowe lieutenant under Sir Tho. Wroughton.

Jasper Nicholas, lieutenant to Sir Jo. Danvers, lieutenant in Flanders under generall Norris.

Mr. Rob. Eyres, lieutenant to Capt. Goreing and Capt. H . . . man (?) in Flanders, and had charge under Sir Fr. Drake in the Indies.

Mr. Edm. Mervin, auncient bearer to Mr. Edw. Winter in the voyage of Sir Fr. Drake.

Mr. Henry Chatterton, lieutenant to his brother Mr. Tho. Chatterton.

Mr. James Wroughton, who hath served in Ireland and in Flanders under Sir Phil. Sidney.”

1595.—Letter from John Erneley at Whetham to his father-in-law [Thomas] Haydock at Stanton, begging for the loan of one hundred marks: “I am even at my witt’s ende.”

1648, 24 Aug. London.—[Sir] Arthur Hopton to his brother-in-law John Ernle. “I hoped to have bin with you ere this, but by reason of the trouble of the times I have bin advised not to remove from hence. If the times shall setle, as I hope by God’s blessing and the treaty that seemes to be resolved on they will, I purpose, God willing, to spend some time in those partes.” Has thought it necessary to make a conveyance of his estate to friends for payment of his debts, and asks Ernle to be one of the trustees.

1679, 17 Feb. Whitehall.—Copy of a letter from Lord Lauderdale; without address. “Sir, having considered that pretended letter from Edenburg without any subscription, which was

given to you by Don B[ernar]do de Salinas, Envoyé extr[ordina]ry for the King of Spaines affaires, and by you communicated to the King, and then delivered to me because it relates to his Kingdome of Scotland, I am by his Ma[jes]ty commanded to send you this answer: That the King having given so full orders in compliance with the Memoriall given in to his Ma[jes]ty by this Envoyé, and after the executions of those orders were returned, in the Proclamation emitted the 18th of Jan. last by the Privy Councill of Scotland against the French levys, this Letter presented by the Extra^y Envoyé, pretended to be written from Edenburg the 20th Jan. seemes to be very strange and extraordinary, especially seeing his Ma^{ty} knows exactly the first part of it is contrary to all truth and the possibility of truth. For the Letter says, *That the order for that Proclamation came to Edenburg five days before, but the men that were levyed for the French service were not shipped nor sayled, and our great men had a mind they should be all gone before it should come out.* Now that the order for the Proclamation came five days before is not onely most false but impossible to be true. For the King's order was dispatched from Whitehall the 13th of Jan. by the Post that parted that night at midnight, and came not to Edinburgh till Thursday the 18th at 1 of the clock in the afternoone, and that very afternoone it was carried to the Councill and the Proclamation ordered. So nothing can be farther from the truth than the allegation in the first words of the pretended Letter that it came to Edinburgh five days before, because then it should have come thither before it parted from London. By which one may easily judge of the truth of the rest of the Letter. And the Envoyé Extra^y may please to consider the last clause of that Letter, which is a bold and impudent reflection upon the King and his Privy Councill of Scotland in these words: *So that if the King have given no directions about the Levys, the Privy Councill have been abettors of treason, and have forfeited their lives and estates to the King, which nobody could have suspected.* His Ma^{ty} sent for the Envoyé Extra^y the other day, and in order to find out if anything could be found of truth in the other informations his Ma^{ty} asked from whom the Letter came. To this the Envoyé answered, That it was not signed, that it was brought to his house by a porter. By which his Ma^{ty} hath reason to looke on it as a libell, and will demand reparation for it. I am, Sir, your most obedient humble servant

“LAUDERDALE.”

There is a printed copy of the Proclamation to which this letter refers, entitled, *A Proclamation discharging the levyng and transporting any men for the warrs beyond seas*, strictly forbidding the carrying away of men for the service of France. It is dated, “Given under our Signet at Edinburgh the 18 day of January, 1677,” and is printed at Edinburgh by the heir of Andrew Anderson.

1677, 2 April.—Representation to Sir John Ernle and Sir George Hungerford, burgess in Parliament for Cricklade, from inhabitants of Cricklade, complaining of obstruction of the passage of boats and barges between Oxford and Cricklade by one Capt. Cutler at a

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place called St. John's Bridge, who will not suffer any boat to pass without payment of a considerable sum of money. Signed by Richard Byrt, baily, John Flood, vicar of Cricklade St. Sampson's, and thirty-two others.

1677, 30 Oct. Holyrood house.—Copy, by a Scottish hand, of a letter, evidently from Lord Lauderdale, but without signature or address, giving an account of the rejoicings at Edinburgh on the news of the marriage of William of Orange and the Princess Mary. "On Sunday morning I receaved the good newse off his Majesties declaring the full agriement off the marriage betuixt her highnes the Lady Mary and the prince off Orange: That the King had declared it in the privie Councel, that it was receaved by all ranks off people with all demonstrations of joy and satisfaction. Therefore I thought it my duety to indeavor the publishing off it heare with all the solemnity that twas possible. In the first place I sent ffor my Lord Provost off Edenb[urgh], and because nothing could be don on Sunday, I advysed him to give orders ffor bonffires in this Citty and the suburbs on the morrow with all the solemnities that was possible in so short a tyme. I did also call the privy Councell to meet yesterday morning, which mett accordingly, and ther I tould them the good newse I had receaved, how the King had declared the mariage to his privie Councell in England that day seventh night, and that their Lordships had gon to congratulat with the King and the Duke, the Lady Mary, and the prince. Then I acquainted them that I had spoke to my Lord Provost off Edenb[urgh], and that he had undertaken ffor bonfyres and all the solemnities usuall. The Councell resolved to wryt a letter to his Majestie humbly to congratulat this his happy conclusion of the mariage; the letter was apoynted to be drawn, and the Councell to meet this evening ffor the signing off itt. Efter this the Lord Provost and Magistrats off Edenb[urgh] wer with me, and we resolved upon the maner of the solemnitie, which was this: The Cross off Edenb[urgh] was to be hung with tapestree, that the Magistrats off Edenb[urgh] should be in their scarlet robbs and all their fformalities, and in that order they should meet the Lords of the Councell and the noblemen that wold come up with them at the gate of the Citty, and so go up to the Cross. In pursuance of this we went from this place at 4 aclok to the gate of the Citty, wher we came out of our coaches and mett the magistrats of Edenb[urgh], and through a handsome guard we waked on foot up all the streett to the Cross, which we found in very good order: ther went up upon the Cross, with the Lord Provost and me, the Marq^s of Douglas, the Earles of Argyl, Marishall, Seaforth, Aboyn, Kintor, the Earles of Panmure, Balcaras, and Taras, the Lord President of the Session, the King's Advocat, and Justice Clarke, with als many more as the Cross could hould. The rest of the Magistrats off Edenb[urgh] wer upon a stage erected just before the Cross; all the windows in both sydes of the street wer ffull, and as great a confluence of people as that great street could hould. I had provyded threscore shot of canon, which played all the tyme we drunk the healths upon the Cross. The healths we drunk wer first, the prince of Orange and

the princes, then their royall highnes, the Queene, and last of all the King's health. Upon the Cross was sett green bows with some hundreds of oranges tyed upon them; all the conduits upon the Cross did run with wyn; abundance of shuggar plumms and oranges was flung amongst the people, who did express great joy. Then the bonfyres wer kinled, with ringing off bells, and so we all went to our lodgeins, but the magistrats visited the bonfyres, at last after 8 aclock they cam down to the bonfyre that was in the outer court of this palace; many noble men wer with me to supp, and we went all down to the bonfyre, and drunk the healths again. So we parted with the magistrats, and they are to dyn with me this day. This is the short account of the poore solemnity we could use upon so sudden a warning."

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1677, 10 July. Burroughbridg.—Lord Lauderdale, when on his way down to Scotland with his wife, to Sir John Ernle, Chancellor of the Exchequer. Came to this place last night, and received Ernle's letter of the 7th this morning. At Wetherby was met by the Earls of Argyle and Balcarres, and this day the Marq. of Athole, the Earl Marischal, the Earl of Aboyne, and some others will meet him.

[1678 ?] 6 Dec. Paris.—Copy of a letter ostensibly from a Jesuit abroad with respect to the Plot; without signature or address.

"Reverend Father, yours I have received. All is well concerning the Catholique Church; therefore buy armes, and arme yourselves. As for the oathes that are imposed, lett none be troubled; dispensations are ready; the state of the Holy Church requires itt. Secure the noblemen on our side and there relations. Lett there be no disputes in doctrine, and when you meet in counsell be secrett; lett your numbers be few. A great gentlewoman assures us all will goe well on the Catholiques side, therefore doe [*sic*] to the southerne part. Consider the Blew Capps, old Troy alsoe. Send the subscriptions by this bearer. Lett your zeale for the Holy Church soe appeare that you may have a reward on earth and a crowne in heaven. Remember the old Legislatores. As for Bable it is madd. Of you, if you remove your lodging, lett Patrick know; by him I have sent you an Agnus Dei. Use this as an hereticke.

"This Patricke is to come by way of Callis; way is made for reception. The subscriptions were in a roule by itselfe, from five pounds to thousands."

The wording of this letter strongly suggests the suspicion that it is a forgery, possibly by Titus Oates.

1683, 20 Feb. Treasury Chamber.—Letter from the Earl of Rochester (L. Hyde) to Sir John Ernle, congratulating him on the marriage of his daughter. "We doe not sitt this afternoon, so you are at your owne disposall."

1683, 14 Feb.—Unsigned newsletter to John Ernley, esq. The bailing of Lords Danby, Powis, Arundel, Bellasis and Tyrone. Sentence on Mr. Hampden. "Mr. Booth and the other conspirators that were in the Tower upon the account of the late horrid Plott are all discharged."

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An undated letter from J. Potanger to John Kyrle Ernle, esq. Asks for a letter of recommendation for a son of Mr. Rogerson, rector of Hanwell, "to Dr. Marsh, the now Primate of Ireland, who has been obliged to your family for the first beginning of his preferment, and was your father's tutor in Oxford."

1703, 15 Nov.—A letter to the same from his sister Mrs. Hester Washbourne says "I heare you are much talked ofe in town for your exterordnerry wise management in entertaineing the Queen." [Q. Anne visited Ernle at Whetham soon after her accession when on her way to Bath and Bristol, and a richly decorated ebony cabinet said to have been given by her, which was formerly at Whetham, is now in the drawing-room at Homme House.

[1723 ?].—Directions by Mr. Will. Washbourne for his funeral and epitaph. Five clergymen named to go to the grave; to be carried by his own servants, if they go to Church; each clergyman to have a ring with the motto *God preserve the Church*; the Burial service to be read with a great deal of deliberation; four persons to be sent for who understand singing, to begin at the porch steps and sing this Anthem, the 18th Psalm, *My song shall be always of the loving-kindness of the Lord*, and after the burial is over to sing it again at the grave; each singer to have a guinea and a ring with the same motto as above; "but be sure to have every person hearty for the Church of England that is concearned in this seremony."

A small parcel of familiar letters, written by one F. Grahme to John Kyrle Ernle, extend from 1717 to 1724, and are chiefly written from Liége and Bois-le-Duc, ending with London and Kendal. Those written from abroad are unsigned, and reference is made to his obtaining permission to return to England; it may therefore be that he was a Jacobite exile, but there are no political allusions in the letters. In one dated 10 Sept. 1717 he mentions the procuring an organ for Mr. Ernle: "Your organ, the Major hath taken upon him to procure it, and hath writen some time since to Mons. Polesta at Coblents, and I hope to have it time enough to send with your baggage." Can this refer to an organ which was given to Calne church by Mr. Ernle?

Another small parcel of letters is from one William Roseingrave, second secretary to the Lord Justices of Ireland, written from Dublin to Mrs. Soame, with whom he claimed relationship, in 1761-6; with one to Col. Money in 1772. He sends in 1763 a newspaper which, he says, "falls under my inspection and direction as compiler thereof," and in 1764 mentions that he has with him his uncle "Mr. Thomas Roseingrave, whose name stands highly respected in the musical world; . . . his mother's virtues are his frequent subject, which he imputes to her education under her uncle Bishop Fell." In a subsequent letter not dated, but probably written in 1766, he announces his uncle's death.

In 1575 there was a great land-slip at Much Marcle Hill, com-
 memorated by Camden in prose and by Drayton in verse, amongst other writers. In its progress it completely buried a small chapel at Kynaston, of which not a vestige was left visible. But a good many years ago the chapel-bell was dug up, and it now hangs in the tower of the stable-yard at Homme House. Its tone is particularly rich and mellow.

W. D. MACRAY.

MANUSCRIPTS

OF

F. H. T. JERVOISE, ESQRE.,

PRESERVED AT

HERRIARD PARK, HAMPSHIRE.

EARLY CHARTERS.

[c. 1210-20.]—Grant from Henry son of William Bretun of Scepewike to Henry de Rednesse of six acres and a half in Colemannehage; rendering annually one pound of pepper.

[c. 1220.]—Grant from William “le Frangculain filio Joh. de Baggmere” to John de Lagguleu son of Geoffrey de Lagguleu of all his right in that virgate which Robert de Laggul’ formerly held in Suztop, for the sum of one mark.

[c. 1220-30.]—A grant from Adam son of Werreys de Boys to Walter de Blinchesfeld for nine marks of one virgate in Randolfestone, and two acres, and the messuage which was his father’s, and the half of his garden beyond his father’s gate to that tree (“illud lignum”) which in English is called *Helebym*, through the middle of the garden to Ulmeine which stands above the garden-ditch; and that crofta called Labynhey, viz. 13 acres in the north field, of which four lie Binotheweye, one acre which lies Buweweye, in Cumba one acre, above Helleflor half an acre, above Grenelinch half an acre, at Langegore one acre, in the south part of Lagaredelande near the road one acre, in Langaforlang one acre, in Bothlande half an acre and in the east part of the same half an acre, above Boreshelne a stony acre, in the great crofta one outside acre. And 13 acres in the south field, viz. one acre and a half in Withefeld and half an acre above the road, in Stoniforlang half an acre, at Putland two acres, in Langforlang one acre near Lalandsoe, in Scorteland one acre, in Valdene one acre, above Long Othulle half an acre and half an acre a la Stubbe, near Valdenes thorne one acre, above the road one perch, on the south of Chilputacre one perch, in Valdene two perches, which four perches are reckoned as one acre, in Labrache two acres; and one acre of meadow. To have 6 oxen, 4 cows, 104 sheep, two cart horses and 10 pigs. Rendering annually one pair of gloves of the value of one penny.

(The field names are so numerous and varied in this deed that it is thought interesting to give them in full.)

[c. 1220-30.] *Wintney Priory, Hants.*—Grant from Richard de Hereird (*sic*), in frankalmoigne, to the church of B. Mary of Wintenay of all the land which was Serlo de Brueria's in Hereird, viz. one virgate and a half. Brown seal, broken; a spread eagle. Witnesses, Walter de Andeli, Roger de Scures, Maurice de Turville, Matthew de Scures, Henry de Ferlege, John de Hereird, [etc.].

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[c. 1220-30.] *Newstead Priory, Notts.*—Grant from Richard son of Ralph de Misterton to St. Mary of New Place and the Canons there, in frankalmoigne, of three acres of land in Misterton in the place called Nordwderuding. Witnesses, Gilbert de Misterton, Henry son of Matilda, Henry de Luvetot, Walter son of Orenta, William de Waltrigham, Henry Tropmel.

[c. 1230.]—Acknowledgment by William Herward of Cherlton and Eva his wife that they are bound to make an indenture to Henry de Awnewyk of $7\frac{1}{2}$ acres in Conelesmere (*or* Couelesmere) viz. the half of 15 acres which were formerly Richard de Paneby's in the field of Westlakyng, under a penalty of £10 to the Barons of the Exchequer, with power to the Sheriff of Berks to distrain.

[c. 1230-40.]—Grant from Fulk de Coudray to Richard Peche and his heirs of all the land which was formerly William de la Hurne's in Heretherde with a messuage; at an annual rent of 10s.

[c. 1230-40.]—Grant from Richard de Herierd, for the service of John de Herierd, to Lucy daughter of Robert de Herierd his uncle, and Richard, Edmund, Robert, and Nicholas, Robert's sons, of one virgate of land in Herierd, viz. the half virgate which William Coc held and the half virgate which Adam Boltard held, and a messuage with curtilage between the high road of Herierd in front of the church of the village and the field of Hurst; at an annnal rent of 10s. and one pound of cummin, with remainder, failing heirs, to Matilda and Alice daughters of the said Lucy.

[c. 1230-40.]—Grant from Henry de Boville to John Tallard with Beatrice his daughter in marriage, of 10s. of rent in the vill of Suthrof which John son of Godwyn was accustomed to pay, and which the grantor had by the gift of Sir Richard de Hierd; rendering annually one lb. of cummin.

[c. 1230-40.]—Grant from Henry son of William de Scepowic to Henry son of Nicholas de Grava and his heirs, for thirty-six shillings, of six selions of land at Wincele, of which two are described as "pulsantes super Wdebec"; paying yearly three pence.

[c. 1230-40.]—Grant from William Dane to Robert Huberd of Springwelle and his heirs, for the sum of thirteen shillings, of a moor in Manewde in the parish of Winche, paying annually three pence,

F. H. T.
Jervoise,
Esq.

[c. 1230-40.]—Grant from Hamo de Hotot to Oger de Bordeni his servant ("servienti meo") and his heirs, of one virgate of land in Cunitone, viz. that which was John Banne's, with the meadow which was Edmund's, paying yearly one lb. of cummin. Also he shall have in the pasture of Cunitone one horse, 60 two-year old sheep, two cows and four oxen free of herbage, and 24 pigs free of pannage. Witnesses, Simon de Littlecote, Walter de Lithecote, [etc.].

[c. 1230-40.] *Wintney Priory, Hants.*—Grant from Agnes daughter of Edith Pechy to the church of St. Mary Magd. of Wynteney and the nuns there of six acres of land in Suthrop lying in the croft called le Hamcropt (*sic*). Witnesses, Sir Rich. Syfrewast, Roger Syfrewast his son, Tomas parson of Herierd, [&c.].

[c. 1230-40.] *Newstead Priory, Notts.*—Grant from Matilda, formerly the wife of Walter Aucup' [the Fowler] of Misterton, to the church of B. Mary of New Place in Seyrewude and the canons there, of one sellion in the north field of Misterton at le Chese-thorne, one in the same field at Blakelandes, one in the south field at Folewayclif, and one in le Riddingfelde of Misterton near the boundary of Waltrigham. Seal, "Sigill' Matild' fil' Joh'is."

[c. 1240.]—Grant from Matilda de Herierd, sister and heir of Richard the younger de Herierd, widow, to Richard de Herierd son and heir of John de Herierd, of all the land which Walter son of Nicholas held of her in the territory of Elsefeld, together with the said Walter and all his following. Good impression of seal; a spread eagle.

[c. 1240.] *Wintney Priory.*—Grant from the same, for the good of the soul of her late husband Richard Syffrewast and others, to the church of St. Mary Magd. of Winteny and the nuns there of 20s. of annual rent in the hamlet of Sudrop. Good impression of seal.

c. 1240.—Grant from the same to Fulk de Cudray of the whole manor of Herierd, with the advowson of the church and the hamlet of Suthrop, excepting twenty shillings of annual rent; to hold the manor of Herbert son of Peter [Fitz-Pier] and the hamlet of the King. Good impression of seal.

c. 1240.—Engagement by Matilda de Herierd that she will maintain and justify before the King and his Justices, if called upon to do so, the preceding grant of the manor to Fulk de Cudray, unless the said Fulk should in any way act contrary to the writings he has made concerning the feoffment of Syreburne and Padwrd. Good impression of seal.

c. 1240.—Acknowledgment (chirograph) by the same and Nicolas her son that they hold from Fulk de Cowdray the manor of Syre-bourne, co. Southampton, and the manor of Padeworze, co. Berks, for the term of their lives only, with no further claim, in exchange for

the manor of Herierd, which she has granted to the said Fulk and his heirs for ever. Witnesses, Robert de St. John, Henry de Farle, Adam de St. Menefewd, Bartholomew Peche, John called le Jeune of Sirrebourne, William dou Boys of the same, Henry called Senelman [and others]. F. H. T.
Jervoise,
Esq.

c. 1250.—Confirmation by Reginald Fitz-Pier to Fulk de Coudray of the preceding grant, for which Fulk gives fifty marks. Witn., Henry de Farle, Hamo de Basing and twelve others.

Reginald "fil. Petri" succeeded his brother Herbert about 1249 (G. E. C.'s *Complete Peerage*, III. 368 n.a.), and Fulk Coudray died in 1251.

c. 1250 ?—Confirmation by Richard de Sifrewast to Fulk de Cudray of the preceding grant by his grandmother Matilda of the manor of Herierd, for which Fulk is to render yearly some gilded spurs.

c. 1240-50.—Grant by Nicholas de Syfrewast to Richard son of John de Herierd of half a virgate in Herierd. Seal broken; apparently the figure of a knight, with a label issuing from his mouth.

c. 1240-50.—Confirmation by Matilda de Herierd, in her widowhood, to Richard son of John de Herierd, of the half-virgate granted him in the preceding deed by Nicholas de Syfrewast her son, formerly lord of Herierd, which John Little ("Parvus") held. Good impression of seal.

[c. 1240-50.] *Wintney Priory*.—Grant from William de Baggemere, son of John de Baggemere, to the church of St. Mary Magd. of Wintene and the nuns there, for the sum of 19s., of three parts of one foracre on the south of the road from Sudtrop towards the "brueram," beginning at the house of Richard the Smith of Sudtrop and extending to Fuleflode; together with an annual rent of 12*d.* from the said Richard for the fourth part of the foreacre in the hamlet of Sudtrop.

[c. 1240-50.]—Confirmation by Richard son of Richard de Hereirde, at the request of his wife Gunnora, of the gift which Gregory de Bremble has made to his cousin Avicia de Bremble of the half-virgate of land in Hereirde which Elyas the Hunter held and of ten acres which Geoffrey Long held; paying yearly 2*s.* and 1 *lb.* of cummin. Witnesses, Henry de Ferle, Richard de Cumbe, Henry de Boville, John and Thomas Makerel, and eight others.

[c. 1240-50.]—Grant from Matilda de Herierd, sister and heir of Richard the younger of Herierd, widow, to Geoffrey fitz-John of a yearly rent of 8*s.* from Richard de Langely and his heirs, from the tenement which he held of Nicholas Syfrewast her son; paying to her yearly 1*d.* Witnesses, Henry de Farly, Hamo de Basinges, Richard de Dummere, and twelve others.

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[c. 1240-50.]—Grant from Robert White ("Albus") of Sudtrope to William de Optone, clerk, for 20s., of one acre of land in Sudtrope; paying yearly 2d.

[c. 1240-50.]—Grant from Fulk de Coudray to Richard de Herierd of half a virgate in his manor of Herierd, viz. that which Alice who was the daughter of Aylmar de Herierd held in villenage, paying annually 5s. Very clear impression of seal in green wax; a bar; "S' Fulkonis de Kovdray."

[c. 1240-50.] *Newstead Priory, Notts.*—Grant from Henry son of Walter Wace of Waltringham to the church of B. Mary of New Place in Schyrewode and the canons there of all his land in Waltringham, as well that held in socage as of the lands acquired by his father and contained in the charters of the Prior of New Place and Adam son of William de Waltringham.

1245. *Mottesfont Priory, Hants.*—Certificate by William [de Raleigh] Bishop of Winchester that, at the request of the Prior and Convent of Motesfont, on the occasion of his holding a visitation there, and finding that they have no temporal patron to whose protection they can betake themselves in time of need, he has, for himself and his successors, taken them under his protection. At Motesfont, Wedn. after the f. of St. Gregory (15 March).

[c. 1250.]—Grant from Emeric de Sacy to his son Peter de Sacy and his heirs of all his land in Panbere, rendering annually one gilt spur or sixpence. Seal of arms, broken; three chevronels.

[c. 1250.] *Wantage, Berks.*—Grant from William son of Alan Bisuthetoun of Waneting to Robert de Berewelle, for twenty shillings, of half an acre in the west field of Waneting, in le Hamme.

[c. 1250-60.]—Grant from Gilibert le Cupere to Richard de Hereford and Matilda his wife, for the sum of 33s. 4d. of a messuage "in burgho de Overton;" rendering annually one grain of pepper. Witn., Gilebert Atteherne "tunc preposito burgi," [&c.].

[c. 1250-60.]—Grant from Walter de Blinchesfelde to John son of Walter de Blinchesfelde (*sic*) of his messuage with gardens called *al Bois*, and all his land at Randolvestone with an acre and a half of meadow, and one carucate of oxen with the oxen of the lord of the village, and 6 cows with their calves, and two carthorses ("affras") and 120 sheep with two rams ("cuyllard"); rendering annually one pound of cummin.

[c. 1250-60.]—Quit-claim from John son of Geoffrey de Cliveware for the sum of 48s. to Richard de Langele of 4s. of annual rent which he was accustomed to pay for a tenement in the village of Herierd in the place Langele.

[c. 1250-60.]-Grant from John Liztfot of Frifolk to William de Warewyk and Alice his wife, for nine shillings, of a messuage in Frifolk; paying 4*d.* yearly to the chief lords. F. H. T.
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[c. 1250-60.]-Grant from Richard son of William son of Ralph de Lega to Richard son of Richard Andre the third ("tertii") of a meadow in "la hamme de Lega."

[c. 1250-60.]-Chirograph of an exchange of land between Thomas son of Richard de Syffrewast and Richard son of John de Herierde.

[c. 1250-60.]-Grant from Richard de Herrierd to William de la Lye, in return for quit-claim to land in Cettre and la Aslond, of three acres in Suthrop; paying annually 9*d.*

[c. 1250-60.]-Quit-claim from Robert le Blund to William de la Lye and John his son, for half a mark, of all his right in the land of la Lye in Suthrop. Among the witnesses, Lowis de Ereyerd.

[c. 1250-60.]-Grant by Robert son of Adam de la Aslond to Richard de Herrierd and Matilda his wife, for 100*s.*, of the half-virgate in Sudtrhope called del Aslond, of the fee of la Ferte, which he recovered from John de Langely and William de la Lye; paying yearly one halfpenny. Black seal; an eagle; "Sigill' Roberti de Heirde."

[c. 1250-60.]-Grant from John le Fraunkelayn of Laverkestokey to John Bernard of the same, for the sum of 100*s.*, of the house and curtilage which Lucy mother of the said John formerly held in the same vill as dowry, "sicut mete et divide inter nos proportant et condonant," with three acres of the grantor's land and the moiety of the pasture which belongs to his virgate, in the fields, hills and woods belonging to Laverkestokey.

[c. 1250-60.]-Grant from Richard de Langely to Richard called Burgeys for 5*s.* 8*d.* of a plot of land in Herezerde in the croft called la Ridecroft; paying annually 6*d.* Witnesses, John de Herezerd, William atte Ly, Richard le Buvyle [&c.].

1259, 25 July, f. of St. James, 43 Hen. fil. Joh.—Chirograph of lease from Peter de Coudray to Nicholas de la Hurst of half a virgate of land with a grove and a croft in Herierd, for the sum of £10; to hold for the lives of the said Nicholas and his wife Alice at an annual rent of 6*s.* 2*d.* Witnesses, Sir Peter and Sir Richard Achard, Sir Henry de Farnle, knts. [and six others].

[c. 1260.]-Grant from John Byles to Henry son of John de Ferlegh, for the sum of 5 marks, of a messuage and 8 acres of land in the village of Suththrop, viz. those which Robert Cally once held, and which came to the grantor on the death of his mother Alvean daughter of the said Robert; and 10 acres in the same village which

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the grantor held of the Prioress and Convent of Wynteney, which were of the land of John Pechie; rendering one pair of white gloves value one penny or one penny, and to the prioress 20*d.*, and to the lord of Herierd 2*s.*

[c. 1260.]—Chirograph of a grant by Peter de Coudrey to Henry the Smith of Herierd, for one mark, of a messuage with a curtilage in Herierd, paying annually 12*d.*, with suit of court every three weeks.

[c. 1260.]—Grant from Richard de Heryerd to John de Langelee, of 3½ acres of land in Suthrop in le Aschdene, paying yearly 1 lb. of cummin.

[c. 1260-70.]—Grant from Adam de la Lye to Richard de Herierd of all his messuage and wood in Suththrop which he had by the gift of Richard Sydewyne from the tenement which was formerly Adam le Pottere's; in exchange for 2½ acres. Witnesses, Leuwys de Herierd, Henry de Bertham and Augustin his son, [and ten others].

[c. 1260-70.]—Grant from Lewis de Herierd to Richard son of John de Herierd, for 50*s.* and two acres of land, of his grove which was formerly William le Despensyr's, and the land of the latter in la Petitehamme, and two acres near the garden and the croft of the parson of Herierd.

[c. 1260-1270.]—Grant from Walter de St. Manefo to William Bunte and his heirs, for 8*s.*, of a messuage in Herierd, paying yearly to him one clove, and to the lords [of the fee] two shillings. Witnesses, John de Herierd, Lewis de Herierd, [and five others].

[c. 1260-70.]—Grant from William Bunte to Henry son of Henry the Smith of Herierd and his heirs, for 20*s.*, of a messuage in Herierd paying yearly to the church of Herierd 2*s.* Witnesses, John de Herierd, [and seven others].

[c. 1260-70.]—Grant from Henry le Baylli to Peter de Coudray and Angnes his wife of a messuage at Coufaude and three acres of land, which the grantor had by the gift of William de Coufaude; paying yearly to Robert de Coufaude, the lord of the fee, four shillings and two pence.

[c. 1260-70.]—Acknowledgment by John de Lyford that whereas Peter de Coudray, knt., has enfeoffed him and his wife Amicia for their lives in a manse in Lyford which the said John once held as his capital messuage he is bound without delay to restore to the said Peter a croft with a dovecote thereon which Alan de Lyford held in Lyford, and also a croft called Middeleroft, with the charter thereon made to him which is in the custody of Robert de Aula.

[c. 1260-70.]-Grant from Matilda ("Matillis") de Hynewode, daughter of the late John de Hynewode to Sir Reginald Fitz-Peter, for £10, of a messuage and one virgate of land in Herierde. Witn., Sir John de Brambeschete, Sir Walter de Everesleyghe, Sir Eumar[ic] de Chanceaus, [and five others]. F. H. T.
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[c. 1260-70.] *Newstead Priory*.—Grant from Thomas son of Henry de Mistertone to the church of B. Mary of New Place in Schyrwode and the canons there of as much common of pasture in Gaynlod as belongs to one oxgang in Misterton and one selion in Blytheford.

[c. 1260-70.]-Grant from Peter de Coudray, knt., to Henry Haylmar and Gunnilda his wife, for half a mark, of a messuage in Herierd, paying yearly 6*d.* Seal of arms; a bend between ten billets.

[c. 1260-70.]-Grant from Ralph Tholy of Bistlesham to John de Heryerd and his heirs, for twenty-two marks, of all his tenement in Heryerd; paying yearly to him one penny, and to the lords of the fee two shillings and 1 *lb.* of cummin. Witnesses, Richard le Esquier, Philip Blund, Henry Blund, [and ten others].

There is a duplicate of this, with the substitution of the word *terram* for *tenementum*.

[c. 1260-70.]-*Inspeximus* and confirmation (also in duplicate) of the preceding deed by Sir Peter de Coudray, the lord of the fee, for the sum of forty shillings, granting also to John de Heryerd two rights of way.

[c. 1260-70.]-Grant from Ralph Payn of Syrefeld, son of Hubert Payn of Kingessumburne to Richard Dodde of Farley and Juliana his wife, for two marks, of a messuage in Syrefeld which William called le Gul once held, "sicut mete et habunde inter me et ipsos Ricardum et Julianam condonant"; paying yearly half a mark.

A second and later grant from the same to the same describes the grantee as Richard the Cook of Farley Montford, and the land is said to be denoted "sicut bunde et mete per me confecte plenius docent et proportant."

[c. 1260-70.]-Grant from William Dobenay to Richard atte Ok of his tenement in Laverkestokey, which formerly belonged to his father Robert Dobenay.

[c. 1260-70.]-Grant from Agnes and Lucy, daughters of Richard de Langely, to Robert de la Hurst and his heirs, for 10*s.*, of a wood called Botildeswode in the parish of Herierde.

[c. 1260-70.]-Grant by Matilda de Hynewode, daughter of the late John de Hynewode, to Sir Reginald son of Peter (Fitz-Pier) of a messuage and one virgate of land in Herierd, for the sum of £10. Oval green seal; a star; "S' Matild' de Hinewode,"

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[c. 1260-70.]-Grant from Peter de Chodray (*sic*) to John de Schaldeford, for his life, of two marks of annual rent. Witnesses, Robert and Peter de Uffinton, [etc.].

[c. 1260-70.]-Grant from Thomas son of Robert Alan of Westune to Thomas son of William de la Lye, for the sum of four marks and one quarter of corn, of six acres of land in Westune, with pasture for 32 sheep, &c.; paying yearly four pence.

[c. 1260-70.]-Grant from Beatrix de Bovile, widow, to her daughter Sibilla, for ten marks, of ten shillings of annual rent in Suthrop in the parish of Hereyerd, which she had by the gift of Henry de Bovile her father in marriage. Witnesses, John de Heryerd [&c.].

[c. 1260-70.]-Grant from Reginald fitz-Piers to Sir Henry le Bohon, rector of the church of Farleye, of one virgate of land in Herezerd called Hinewode, which Matilda, daughter and heir of John de Hinewode, sold to him; paying yearly to him one penny and to the lord of the fee 10s. Witnesses, Sir Martin de Rupibus, Sir Walter de Evesle, Sir Robert de Ymmer, Sir John de Wyndeslor, Sir Emeric de Chanceus, knts, [and nine others.] Round green seal, slightly broken; a knight on horseback, "S" Reginaldi filii Petri"; armorial counter-seal, three lions rampant, "S" Reginaldi filii Petri."

[c. 1260-70.]-Grant from Lewis de Herierd to Peter de Coudray, for 20s., of a messuage and curtilage in Herierd. Witnesses, Sir Ralph de Basing, Sir Martin de Rupibus, Sir Robert de Sancto Maneveo, [and three others].

[c. 1270.]-Quit-claim from Robert le Blund to Joan formerly the wife of John de Bovile and her heirs, for 20s., of one virgate of land in Suthrop which he had claimed before the Justices itinerant at Winchester against her, William le Swon, and John de la Lye and his wife Agnes.

[c. 1270.]-Grant from Lewis de Herierd to his lord Peter de Coudray for twenty marks of all his tenement in Herierd.

1263, *Wintney Priory*, 29 April.—Sunday before f. of SS. Philip and James, 47 Hen. fil. Joh. Release from Peter de Coudray to Lucy the Prioress and the Convent of Wynteney, for the sum of six marks, from suit of court every three weeks at Herierd. Witnesses, Sir Robert de St. John, Sir William de Englefeld, then the justices itinerant co. Southampton, [and ten others]. White seal.

[c. 1260-70.] *Wintney Priory*.—Grant from Lucy, Prioress of Wynteney, and the Convent, to John son of William de la Lye of Suthrop, and his heirs, for one mark, of the two crofts which John Byles formerly held of them in Suthrop; paying annually 20d. Fragment of the priory seal, green.

[c. 1260-70.]-Grant from Henry son of John de Ferlighe to his brother John of a tenement in Sutrop; paying yearly to Peter de Coudray two shillings and to the Prioress of Wynteneye twenty pence. F. H. T.
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[c. 1270-80.]-Grant from John son of John de Ferlighe to John de la Ly of Suthrop, for 100s., of the tenement in Sutrop which he had by the gift of Henry de Elsefeld his brother [as in the preceding charter, and subject to the same payments].

[c. 1270.]-Grant from John son and heir of William atte Hurne of Heryerd to Thomas Aylmer of Heryerd, clerk, and his heirs, for 10s., of one acre in Heryerd, called le Wongheacre, in the field called Foggedene; paying yearly one penny. Witn., John de Heryerd, John son of Nicholas de la Hurst, [and five others]. Oval green seal.

[c. 1270.]-Quit-claim by Ralph de Besevyle "dilecto domino meo" Sir Peter de Coudray of all his right in a messuage and half a virgate in Heryerd which he had for his life. Witn., Sir Hugh de Rupibus, Sir Robert Daundely, knts., and four others.

[c. 1270.]-Grant from Adam de la Ly of the parish of Hierd to Nicholas de Langely and Cecilia his wife, and their heirs, for five shillings, of a curtilage which he had by the gift of John de Langely; paying annually two pence. Witn., John de Hierde, John de la Lye, [etc.].

[c. 1270.]-Grant and quit-claim from Matilda ("Matillis") who was the wife of Richard de Herierd to her eldest son John de Herierd, of all her right in the name of dowry in all her late husband's messuages and lands &c. in Herierd and Suthrop, and in 1½ acres of meadow in la Wildemore which the said Richard had by the gift of Richard Senare, reserving to herself one cask of cider and one quarter of corn yearly; and her son gives to her in return all the tenements which were his father's in Basingestok and Estrop, except one which the said John quit-claimed to Richard Martin, for the term of her life with power to enfeoff her son Richard in 27 acres in Basingestok. Witnesses, Richard Gurdepac, Sir Martin de Roches, Sir Peter de Codray, Sir William de Braybuf, [and seven others]. Round green seal; "S' Matildis de Herehirde."

[c. 1270.]-Grant from Adam atte Leghe to Henry de Cockeshelle and his heirs, for 33s., of four acres of land in Herierd, of which two are in the field called Fughedene, and the third, called Luggingeham, in the field called Bukedene; paying yearly 12d. to the lord of the fee.

[c. 1270-80.]-Grant from Henry Cokeshulle to Henry Ailmer, for 35s., of the land conveyed in the preceding deed.

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[c. 1270-80.] *Grove, Berks.*—Grant from William le Lingedrapeer of Grove ["de Grava"] son of Richard de Harewelle to Everard son of Henry Palmar, of Grove, and his heirs, for five marks, of one acre of arable land in the marsh of Grove, extending "en la Portwe."

[c. 1270-80.] *Wintney Priory.*—Grant from Cecilia Banastre, Prioress of Wynteney, and the Convent, to Richard le Bovile, son of John le Bovile, of Suthrop, and his heirs, for half a mark, of two acres of land in Suthrop, one near the way leading from Suthrop to Fulefode, and the other in the field called le Stepe; paying yearly twelve pence.

[c. 1270-80.]—Grant from Philip Bernard of Fryfolk, son and heir of John Bernard of Laverkestone to Richard atte Ok and Joan his daughter, and their heirs, for the sum of 100s., of all the houses with curtilages which John le Fraunkelayn of Laverkestone formerly gave to the said John Bernard, "sicut mete et divide condonant et propoquant"; and also all the land of the same Philip in the common fields of Laverkestone.

[c. 1270-80.]—Grant from William le Math of Suthrop to John de la Le of a messuage with a wood, and all the land pertaining to the messuage, in the hamlet of Suthrop in the parish of Hierd, excepting $1\frac{1}{2}$ acres which he sold to his lady, the prioress and convent of Wyteney (*sic*); rendering to him one clove yearly, and to the prioress of Winteny six shillings, and two days' work at Michaelmas. Witnesses, John de Hierd, Augustin de Bertham, Symon son of Lewis, John de Bovile, [and seven others].

[c. 1270-80.]—Grant by Joan de Suthdrop (*sic*), widow, to her daughter Agnes of $4\frac{1}{2}$ acres in Suthrop, paying 6d. yearly; for which she gives to her mother half a mark and to her brother John 12d.

[c. 1270-80.]—Grant and quit-claim from Richard Sidewyne of Suthrop to Adam de la Lie son of William de la Lye, for the sum of twenty shillings and an over-coat ("supertunicam"), of all his land in Suthrop. Witnesses, Thomas Picot, bailiff of Odyham, Robert Bulloc, [and nine others]. Oval seal.

[c. 1270-80.]—Bond from Matilda de Hynewode, relict of William son of Richard Wiz, for the annual payment to Sir Reginald son of Peter [Fitz-Pier] of four capons; in default of payment entry to be made upon her tenement of Hereyrd. A mis-written word "temur" has been corrected by the insertion of "ne" ("tenemur") and the following note is added at the foot of the charter:—"Hoc interlignare supra ne positum erat ante consignationem."

[c. 1270-80.]—Grant from Elias de Baggemere and his wife Eva to John the Smith their son, of two acres of land in Herierd, one being that on which their buildings are, and the other that which

was formerly Ralph Alebost's; paying 12*d.* yearly to Sir Peter de F. H. T.
Codray, and 12*d.* to the messenger of the Hospital of Jerusalem Jervoise,
for the alms of the lords of the fee. Two seals. Esq.

Confirmation by Peter de Coudray of the preceding grant, for half a mark. Seal of arms, a bend between ten billets.

[c. 1270–80.]—Grant from John son and heir of Richard de Herierde to William son of John de la Lee, in free marriage with his daughter Joan, of two acres of arable land in Suththrop, and 2*s.* 9*d.* of annual rent customarily paid to him by the said John de la Lee. Witnesses, Symon Lowys, John de la Hurst, junior and senior, [and five others].

1272.—In the King's Court at Southampton three weeks after Purif. B.M., 56 Hen. fil. Joh. Fine by which Peter de Coudray grants to Lewis de Herierd and Matilda his wife and their issue, one messuage, one virgate and a half of land, and three acres of wood, in Herierd, with remainder, failing their issue, to William son of the said Lewis for his life and subsequent reversion to the said Peter and his heirs; paying to Peter a yearly rent of 10*s.*, and to the Prior of Hamele and the church of St. Andrew of Hamele all the rent customarily received by the grant of Richard de Herierd.

Of this there is also a copy made in the following century.

1272, 29 Sept., f. of St. Michael, 56 Hen. fil. Joh.—Chirograph of lease from John Guiun of Ambresbyre to John Marescall son of Thomas de Stratton of one virgate of land in Durinton, for 6 years, until he shall have received six complete crops, paying yearly 26 shillings.

[c. 1273.]—Release from William son of Peter Aubrey “*dilecto domino meo*” Peter de Coudray of his right in the lands and tenements which his said father held of him in Sireburne from the Annunc. B.M. for three years in the 56th year of Henry son of John; and he will remain in the custody of his said lord until the completion of that term. Witnesses, Emeric de Cancellis, [and four others].

[c. 1280.]—Grant from Symon son of the late Lewis de Herierd to Henry the Smith, junior, of Herierd, for 9*s.*, of one acre of arable land in the parish of Herierd; paying yearly 1*d.* Witnesses, John de Herierd, John de la Hurst, senior and junior, [and six others].

[c. 1280.]—Grant from Symon son of the late Lewis de Hierd to Henry Ailmar of Hierd and his heirs, for six shillings, of half an acre of arable land in the parish of Hierd in the field called Vokedone. Witnesses, John de Hierd, John de la Hurst, senior and junior.

1280, *Wintney Priory*, 17 March *an.* 8 Edw. [I.], Toucestre.—Privy seal license from K. Edw. to Thomas de Coudray to give the advowson of the church of Herierd to the Prioress and Convent of Wynteneye, and for the appropriation of the church by them. Fragment of seal, white.

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1280, 20 Sept. *an.* 8, Westminster.—Similar license adding a grant by Thomas de Coudray of one acre of land with the church. Fragment of seal, white.

[c. 1280-90.].—License by Peter de Coudray, knt., lord of Herierd, to Robert de Dogmaresfeld to have the acre given him by John atte Burne called Sparkelingesaker, paying yearly *6d.*

[c. 1280-90.].—Grant from Adam atte Lye and Alice his wife to Robert, son of John de la Hurst minor, and his heirs, for *4s.*, of one helve of and in the parish of Heyrierd. Witnesses, John de Heyrierd, Symon Lowis, [and five others].

[c. 1280-90.].—Grant from Peter de Codray to Robert de Bemeresfelde, for *100s.*, of a messuage and a half virgate of land in Suththrop, paying yearly *5s.* to the Prioress and Convent of Winteny. Witnesses, Peter de Basklevile rector of the church of Herierde, [and nine others].

[c. 1280-90.].—Chirograph of an agreement by which Thomas de Coudray grants to Symon son of Lodowyc de Hyerd the free use with ploughs and carts and all his cattle of a certain way about which there had been a dispute, in the field called Lowisesfeld, from the gate of the rector of the church of Heryerd to the field called Baggemeresfeld, according as the path in the said field of old time extends, near the hedge of the rector and the hedge of a croft called Streterofte. Witnesses, Sir Hugh de Rupibus, knt., John de Hyerd, Augustin de Berkham [and four others].

[c. 1280-90.].—Grant from John le Coc to Thomas de Coudray, lord of Heryerd, and his heirs, of the tenement which his father William Coc had by the gift of Peter de Coudray. Witnesses, Ralph Coudray, John de Heryerd, William ate Lee, John de la Hurst, "majore," John de la Hurst, senior, John de Cnolle.

[c. 1280-90.].—Indenture describing the thirds assigned to Agnes who was the wife of Thomas Hugh of Widehay in the name of dowry, commencing with the house which was the kitchen in his time with the chamber adjoining. Witnesses, William de Widehay, rector of Wolhop, [and four others].

[c. 1280-90 ?].—F. of Ascension (*year omitted !*)—Edw. fil. Hen. Lease by Peter de Coudrey to William de la Hawe of his manor of Wlsetone for six years at an annual rent of £15.

1283, 15 days from the f. of St. Michael, 11 Edw. fil. Hen.—Fine between Peter de Coudray and John de Wyntreshull and Amicia his wife, holders for their lives of the park of Shyreburne Coudray from the said Peter, on a plea of waste against them for cutting down 80 oaks ; by which he releases them from all claim for damages in consideration of their allowing him and his heirs to take whatever timber they may require for buildings, and also yearly "unum

damum de pinguedine et unam damam de fermeysone," with ^{F. H. T.} pasture for 12 oxen or cows free of herbage, and 20 pigs free of ^{Jervoise,} pannage, and also surrendering a hundred shillings' worth of land ^{Esq.} which they held of him in Suthtrop and Herierd. [*Cf.* 1292 *infra*.]

1284. *St. Mary's Abbey, Winchester*.—Winchester, Sat. after the f. of the Ascension (20 May) 1284. Certificate from Nicholas sub-prior of the church of St. Swithin, Winchester, to the Justices itinerant in Lincolnshire, that whereas they had commissioned the Prior to receive the attorneys of the abbess of St. Mary Winton in a plea between her and Thomas fitz-Eustace respecting an advowson, but the Prior is now in Wales with the King by his special command, the sub-prior has, together with the sacrist and precentor, gone to the abbess, "quam centenariam credimus, et adeo debilem quod raro poterit ire de camera sua ad ecclesiam," and have accepted the attorneys appointed by her. Fragments of two seals.

1285, 22 May *an.* 13, Westm.—*Precipe* from Edw. [I.] for the surrender without delay by Adam Gurdun of the manor of Nutly, which ought to be in the King's hand on account of alienation by the Sergeants of Wordlham (*sic*) without license.

1286, 28 Apr. *an.* 14, Westm.—Writ from Edw. [I.] to Ralph de Hengham and his fellows. Whereas he has granted to his beloved and faithful Adam Gurdon that he may have the manor of Nottele which Robert Achard and Joan his wife have granted to him for his life, they are therefore to put a stop to the plea commenced thereupon by the King's writ.

1286, 29 Apr. *an.* 14, Westm.—Letters patent of license to Adam Gurdun to receive the manor of Noteleye as given to him for his life by Rob. and Joan Achard. Good impression of the Great Seal, broken.

[c. 1290–1300 ?]—Grant from Thomas de Coudray, knt., to his brother Ralph de Coudray, of a messuage which William le Keu formerly held in Herehierd in the hamlet of Neuport, and which the grantor had by the gift of John le Keu, son and heir of the said William, extending in length from the house of Thomas Dorival the shepherd to the house of John de Herehierd, junior, and in breadth from the pasture called la Dune to the highway leading from the church of Herehierd to Basingestoke; paying annually six pence. Witnesses, John de Herehierd, senior, John his son, William de la Ly, John de la Hurst the greater ("majore"), John de la Hurst the less ("minori"), Richard Bovile, Thomas Dorival.

1292, 16 May, morrow of the Ascension, 20 Edw. fil. Hen.—Fine between Peter de Coudray and John de Wyntreshull on a plea of waste brought by the former with regard to the manor of Shireburne Coudray held of him by the said John for the term of his life; by which it is agreed that Peter and his heirs shall pay yearly to John during his life £22, and that John shall have liberty to take yearly

F. H. T. in the park "unum damum de pinguedine et unam damam de
Jervoise, fermeysone," the manor reverting after his death to the said Peter
Esq. and his heirs.

[1297.]—Chirograph of lease (and the counterpart) by Peter de Coudray to his eldest son Thomas of the manor of Heryerd for the life of the said Thomas at an annual rent of £30. Witnesses, Sir Hugh de St. John, Sir Thomas Paynel, Sir John Bluet, Sir Walter de Eversle, Sir Thomas de Warblyngton, knts., John de Heryerd, Robert de Heryerd, Robert de Dokemersfeld, William Dureward. Small seal of arms.

1297, 20 May—Monday after f. of St. Dunstan [19 May], 25 Edw. fil. Hen. Westm.—Deed of Thomas de Coudray by which he assigns his manors of Lyford, Berks, and Molsho, Bucks, as security for the payment of £30 rent for the manor of Herierd as in the preceding charter.

[c. 1297].—Indenture of lease by Peter de Coudray, knt., to his eldest son Thomas of his manors of Bertone Sacy and Herierd, co. Southampt., Lyford and Padewurthe, co. Berks, and Molesho, co. Bucks, for the life of the said Thomas, at an annual rent of £100. Witnesses, Hugh de Roches, Robert de Aundely, Robert de Achard, Richard Fukeram, Ralph de Chenidut, Will. de Nowers, Robert Barri, Robert de Kennes, knts., [and seven others].

1298, 11 July, 26 Edw. fil. Hen. *Hyde Abbey*.—Chirograph of a grant by Simon the Abbot and the Convent to Richard Attarock, that whereas Philip Bernard, who held of the Abbey a messuage and 4 acres of land in Laverkestoke with pasture for two cart-horses and three oxen (by virtue of a feoffment made by William formerly Abbot to John Bernard ancestor of the said Philip who is his heir), has conveyed the same to the said Richard, he may now hold the same of them for ever, at the reduced rent of 8s., instead of 10s. 8d. formerly paid, and doing suit of court at Laverstoke. The half of the abbey seal remains, which differs in its canopies from the two seals engraved in Birch's *Register of Hyde Abbey*, 1892.

1317, *Chicksand Priory*, 10 Edw. fil. Edw.—Agreement between Sir Thomas de Coudray and John de Camelton, Prior of Chikesaund, and the Convent that, whereas in pursuance of a recognizance made before Sir William Inge and his co-justiciaries *ad placita coram Rege* in Trinity term he is bound in £200 to be paid at Easter next, if the Priory be not ejected from, or interfered with in any way in possession of, the manor of Chikesaundene by him, Thomas his son or Lucy his wife, then the said bond shall be of no effect. Oval green seal; the Annunciation; "S' Convent d' Chikesand ad causas."

1337, *Wintney Priory*, 7 May, 11 Edw. III.—Indenture of a grant by Covina, Prioress of Wynteneye, and the Convent, by license from the King, to Sir Thomas de Coudray, knt., and his heirs, of an

annual rent of six marks from their lands and tenements in Herierde F. H. T.
and Elsefelde. Oval black seal; St. Mary Magd. under a canopy, Jervoise,
" [Sig]illum See Marie Magdalene de Wynteneya." Esq.

1337, 13 May, 11 Edw. III. At Herierd.—Indenture of acknowledgment by Sir Thomas de Coudray of the receipt from the above Prioress and Convent of 40s. in part payment of the aforesaid rent of six marks. Good impression of the Convent seal.

1361, 10 June, 35 Edw. III. At Reding.—Release from Henry de Aldrynton to William de Spersholte and his heirs of all his right in the lands which he had by the gift of John Loveday in Cherlton, Wanetynge, Grove and West Lokinge (Berks). Seal of arms; two bars gemelles between three roundlets.

1366, 6 March, 40 Edw. III. At Padeworthe.—Bond from Fulk Coudray to William de Wykham, Archdeacon of Lincoln, and William de Mulsho, dean of the church of St. Martin the Great London, in 100 marks for the payment of 50 marks at Michaelmas next.

1369, 5 March, 43 Edw. III. At London.—Pass from John Panely, Prior of the Hospital of St. John of Jerusalem in England, for John the Smith of Heryzard, tenant of the Hospital in that village, to carry his merchandize free of toll, pedage, murage, stallage, and other secular exactions, all the men and tenants of the Hospital being exempt from such payments, under pain of excommunication of those who hinder.

1389. *Wintney Priory*.—Rental at Christmas, 13 Rich. II. The total of small rents from 44 tenants is 49s. 6½d.; eight "firmæ," 13s. 7d.; "Redditus ecclesie, v^d de Jul. Hunte." A small parchment roll.

Memorandum on a small parchment roll of moneys received by Alice F., prioress, for corrodies sold and for nuns admitted, and from alms and legacies, and from sales of stock, &c., during her time; *imperfect*. Endorsed with "Debite que debet Priorissa de Wynteneye diversis hominibus," amounting to £25 10s. 8d.

1409, *Selborne Priory*, 3 May, 10 Hen. IV.—Acknowledgment by Thomas, Prior of Seleburne, and the Convent, of the receipt from Edward Cowdray and Richard Holte, executors of the will of John Chaumpflour, esq., of £10 in full payment of all debts.

1455, *Winchester Cathedral*, f. of St. Michael.—Lease from Sir Richard Marleburgh, Prior of the Cathedral Church of St. Swithun, and the Convent, to John Roger of Friffolk of the demesne land of the manor of Whicchurch, lying in the fields called Knolle, Lange-lond and the half of Suthhulle, for 44 years, at an annual rent of 20s.

GRETTFORD, Lincolnshire.

One parcel of deeds relates to property at Gretford, many of them concerned with the Abbey of St. Mary at Winchester. They are as follows :—

[c. 1180.]—Chirograph of agreement of Osbert Basewin and William de Gretford with William Basset, by which they grant Chelle to the said William, in fee, doing to William de Gretford the service of one knight's fee, and rendering to him yearly one bisant; providing that should Chelle, by default ("defectum") of William de Gretford or his heirs, fall into the hands of the said Osbert, then Will. Basset shall hold it of him by the same service. This was executed at Lincoln before Alan de Neville and Master Adam de Gernmua, "tunc justitiis domini Regis errantibus," and William Basset gave to Osbert a gold ring. Witnesses, Philip de Kyme, Richard Basset, Gerold de Normanville [and sixteen others].

[c. 1190-1200 ?]—Grant from Osbert Basewin, with the consent of his lord Robert de Stafford, to Robert, son of William de Gretford, in marriage with his daughter Hawis, of Chedle, with all its appurtenances, being one knight's fee, to hold as freely as Osbert's grandfather, Robert Basewin, held it; the father of the said Robert to have his son and the grantor's daughter in wardship until his son comes to age; and for this wardship he gives Osbert ten marks.

[c. 1190-1200 ?]—Quit-claim from Robert Stafford to Osbert Basewin of his inheritance of Chedle, which he had in his hand on account of Osbert's default for arrears of relief, for which he has now paid twenty marks.

[c. 1220 ?]—Grant from Robert, son of William de Gretford, to Ralph de Berham, for three marks and a half, of seven acres in the fields of Gretford; paying annually thirteen pence.

[c. 1220-30.]—Grant from William, son of Nicholas de Bresseburc, to William, son of Hugh de Seldingtorp, for the sum of 9s., of one acre of arable land in the fields of Seldingtorp, called the *black acre*; paying annually one penny.

[c. 1220-30.]—Grant from Matthew, son of William de Gretford, with the counsel of his wife and his heirs, to Robert Palmer of Gretford, for the sum of 20s., of one acre in the south field of Bresseburc, which is called Hevidlondaker, between the land of the church of Gretford and that of Matilda, daughter of Robert.

[c. 1230-40.]—Grant from Robert Franfe, son of Geoffrey Franfe of Bresseburc, to Peter de Herice, clerk, of one selion of arable land in the north field of Bresseburc, touching on Widebehe, for the sum of 10s. "in mea magna necessitate"; paying annually one half-penny.

[c. 1240-50].—Grant from Sabina Guboud, widow, formerly the wife of John de He . . . , to the Abbey of St. Mary in Winchester, of an annual rent of 12*d.*, accustomedly paid to her by Nicolas, son of William de Bresseburg. (*Tattered.*) F. H. T.
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[c. 1240-50].—Grant from Nicholas, son of William de Brassingburg, to Hugh, son of Nicholas the Carpenter of Barnesthorp, and Juliana his wife, for thirteen shillings, of a messuage in Brassingburg, with the right to dig turf in le Ker of Brassingburg with one man from morning up to prime; paying yearly three pence.

[c. 1250].—Quit-claim from Beatrix, who was the wife of Richard de Stanford, widow, to the Monastery of B. Mary at Winton, of all her right in the lands and tenements in Gretford and Bressingeburgh which they had by the gift and sale of the said Richard, her late husband. The seal is attached of some one who was "fil. Simonis."

[c. 1250-60].—Grant by John de Curcun to Agnes, the Abbess, and the Convent of Winton of a piece of land in the field of Gretford in exchange for a piece which they have given to him and his daughter Margaret.

[c. 1250-60].—Acknowledgment by John de Curcun and Margaret his daughter that they are bound to the Abbess and Convent of Winton in the annual payment of two pence "ad duos solidos debitos de tenemento quod homines de B[er]ham de eisdem tenent"; and also that they have no common or easements in that piece of land which they have in Gretford by exchange. Two oval seals, one "S' Margarete de Cursaun."

[c. 1250-60].—Quit-claim from William Quayle, son of Reginald Quayle of Riskintone, to Agnes, Abbess of B. Mary at Winton, and the Convent, of all his right in one acre and a half in Gretford, which belonged to his uncle, Simon Wlvard; for this quit-claim they give him twelve shillings.

[c. 1260].—Quit-claim by Richard le Grey of Lecford to Cristina, the Abbess of the Monastery of St. Mary at Wynton, and to the Convent, of all his right in the lands and tenements in Grutford (*sic*) which fall to him from his late brother, Thomas. For this quit-claim the Abbess and Convent grant to Robert, nephew of the said Richard, "corrodium unius monachie in pane et cervisia quoad vixerit nisi sibi prius provideatur de diaconatu vel subdiaconatu in eodem monasterio." Among the witnesses are, "Magistro Johanne de Lecford tunc prebendario nostro de Caninges, Elyas de Lecford tunc prebendario nostro de Ychene." The names of the Abbesses Agnes (*supra*) and Cristina are not found in Dugdale, where there is a blank from 1174 to 1265.

[c. 1270].—Grant from Alexander Crispin of Gretford, to Lucy, Abbess of B. Mary of Winton, and the Convent, of one acre of

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meadow in Flitlaund, between the way called Flitlangate and the meadow of the Abbot of Croilaund and of the said Abbess; for this the Abbess gave him in his necessity four marks and one quarter of corn.

[c. 1270.]—Grant from Robert Kempe of the county of Suthampton to Nicholas de Stanford and Isabella his wife of the tenement which he had by their gift in Gretford.

[c. 1270.]—Grant from Alienor, daughter of William Warner of Grutford, to Thomas de Lecford, for 100s., of four acres of arable land and one acre of meadow in Gretford, which she had by the gift of her father, in Scortelandes, Middelfelds, Langelondes, &c.; paying yearly three half pence to the heirs of Beatrice, who was the wife of Richard de Staunford.

[c. 1270–80.]—Grant from Thomas le Grey of Lecford to Robert, his son, of all the land which he bought from Elienor, daughter of William Warner, in Gretford, paying annually three half pence to the heirs of Beatrice de Stamford.

1308, 29 June, f. of SS. Peter and Paul, 1 Edw. fil. Edw.—Quit-claim from Felicia, daughter of Robert de Gretford, widow, to Agnes, Abbess of B. Mary of Winchester, and the Convent, for 26s. 8d., of all her right in 3½ acres of meadow which belonged to her said father in Bressingburgh and Gretford. Oval seal; "S' Feliice filie Roberti."

1311, 20 June, Sunday before f. of St. J. Bapt., 4 Edw. fil. Edw.—Release from Robert Kempe of Froylle to the Abbess and Convent of St. Mary, Winchester, of all his right in 20s. of annual rent, which he was accustomed to receive from them, and which he had by the gift of Sir Walran ("Walranni") de Mortimer ("Mortuomari") of Wylestorp, co. Linc., knt., for a water-course from the mill of Wylestorp to the mill of Flitland. Round green seal; the Lamb and Flag, "Ecce Agnus Dei." In duplicate.

1315, 25 March, f. of Annunc. B.M.V., 8 Edw. fil. Edw. At Ufford.—Quit-claim from Amabilia, who was the wife of Sir Walram ("Walrami") de Mortimer, knt., to Robert Kempe, co. Southampt., of all her right in the rent conveyed in the preceding deed, which her late husband had sold to the said Robert Longe (*sic*).

1372, 3 May, Monday before f. of Ascension, 46 Edw. III.—Lease from Alice, Abbess of B. Mary of Winchester, and the Convent, to John de Thame of Gretford, of their manor of Gretford, for six years, at an annual rent of £56, he bearing all charges thereon. Attached to this is an inventory of all the stock and goods, and of the sowings of the lands, delivered with the lease; to be restored at the termination of the tenancy, under a penalty of £100.

ENFORD, Wiltshire.

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A series of documents relating to a claim of the vicar of Enford, co. Wilts, to have the sole right to examine and admit chaplains to the chapelry of Combe.

1. 1365, 1 May.—Copy of a judgment by William Byde, canon of Sarum, acting under commission from the Bishop, in the case of a complaint against William Foleweye, vicar of Enford, for the withdrawal of the two chaplains of Combe and Compton, whom it was alleged he was bound to maintain at his own expense; it was proved that they were provided and appointed by the parishioners, and maintained by them in whatever was required beyond the offerings at the Chapels.

2. 1387.—Complaint from William, vicar of Enford, to the Bishop of Salisbury, that whereas the examination and admission of the chaplains of Compton and Combe belong to him in his right as vicar, nevertheless Robert Dyngiey, esquire ("scutifer"), James Candell, John atte Mill, Robert Kyll, and other parishioners, have appointed Sir Richard Austin, calling himself a presbyter, to perform divine offices in the Chapel of Combe, without his license as vicar, who there celebrates mass on Sundays and feast-days early in the morning, before it is celebrated in the mother-church, from which in consequence parishioners withdraw themselves and resort to the chapel.

3. 1387.—Commission from Edmund Enfelde, LL.B., acting by commission from Ralph [Erghom], bishop of Salisbury, dated at Poterne, 28 Feb., 1386[–7], to the dean of the deanery of Poterne and to the parochial chaplain of Enford, to hear and determine the complaint of William, vicar of Enford, respecting the chaplain of Compton, similar to the preceding complaint respecting Combe, setting forth that Thomas Calleston, Walter de Coumbe, Robert Bristowe, William Colas, and other lay parishioners, have appointed one Sir Simon West, calling himself a presbyter, of Charleton, to officiate at Compton. Dated at Salisbury, 4 April, 1387. A fragment of the official seal of the subdean of Sarum remains.

4. 1391.—Mandate from Robert Neel, canon of Chichester, vicar-general of John [Waltham], bishop of Salisbury, "ipso in remotis agente," to the dean of Poterne and Thomas Kimele (? Kuvele ?) parochial chaplain of Enford, to cite Richard Auston (*sic*), chaplain of Combe, to appear at Salisbury, Tuesday after the feast of St. Luke, to show his right in the chapel and to a share in the tithes of Enford. Dated at Salisbury, 28 Sept., 1391.

5. 1395.—Copy of a certificate by Nicholas, bishop of Christopolis, acting as suffragan of Salisbury during the vacancy of the see by virtue of a commission (recited at length), dated 27 Oct., 1395, from John de Maydenhithe, canon of Salisbury, as guardian of the spiritualities, that on St. Nicholas' day (6 Dec.) he consecrated two altars in honour of St. Nicholas in the Chapels of Compton and Combe in the parish of Enford,

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6. Copy of an agreement between the prior and convent of St. Swithin, Winchester, and the parishioners of the Chapel of Compton annexed to the Church of Enford, respecting the repair of the chancel and the provision of books and ornaments, the question having arisen at the visitation of the Archdeaconry of Sarum by bishop Robert [Wyvill, before 1375, in which year he died]; viz., that it was assented to by John de Brommore and Walter de Coumbe, the lords of Compton, that the Prior and Convent should keep in repair the walls and windows of the chancel, or if need be rebuild, and that the parishioners should provide the books, vestments, and other necessary ornaments.

COURT-ROLLS.

Temp. Edw. II., III.—There is a series of Rolls of the manor of Herriard for the years 19, 20 Edw. II. ; 10, 11, and 39–49 Edw. III. The manor was then held by the Priory of Wintney, apparently by lease under the family of Coudray or of Achard from Coudray. Edward Coudray, son of a third Peter, comes into possession on attaining his majority, and holds his first Court on the feast of St. Vincent, 50 Edw. III. (22 Jan., 1377). The reversion of the manor had been granted in 25 Edw. III. by Sir Fulk de Coudray, knt., to Sir Henry de Coudray, knt., son of Ralph, the brother of Fulk's grandfather, Sir Thomas, who had granted a lease of it to Sir Robert Achard, knt., and Agnes his wife for their lives. It therefore appears that the manor had been sub-let by Achard during a part of the reign of Edw. III. to the Priory of Wintney, or that a former lease under which the Priory held it in the time of Edw. II. had not expired. The name of the lady Covyna is found as Prioress in 10 Edw. III. (1336).

The Rolls extend also, but imperfectly, through the reigns of Richard II. and Henry IV., and for occasional years further.

PAPAL BULLS.

1231.—Gregory IX. to the Bishop of Winchester: Thomas, the lord of Warbeton, has supplicated for licence for the erection of a chapel on his own estate and the having his own chaplain; desires the bishop to permit this if expedient, and prejudicial to no one. Dated at Reate, xiii Kal. Nov. an. 5 [1231]. *Bulla* attached.

1235.—Gregory IX. to the Archbishop of Canterbury: Thomas, a knight, and William, his brother, of Warblinton, have complained that David and some other Jews of the cities of Canterbury, London, and Winchester have extorted and still endeavour to extort heavy and immoderate usury from them; if this be so, compel them to refrain from such extortion by the withdrawal of the communion of the faithful, without any appeal. Dated at Perugia, xv Kal. Jun. an. 9 [1235]. *Bulla* attached.

1267.—Clement IV. to the Archbishop of Canterbury: The noble person William Chabegrave (*lege* Chalegrave) of the diocese of Winchester has supplicated that, whereas he is so remote from the

mother church that he cannot conveniently come to it in winter time, on account of floods and other dangers of the roads, he may have a chapel on his own estate and a chaplain, to whom he is prepared to assign a sufficiency for his support. Desires the Archbishop, since the Bishop of Winchester is at present abroad, to grant license if expedient, and not prejudicial to anyone. Dated at Viterbo, id. Oct. an. 3 [1267]. *Bulla* attached.

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MISCELLANEOUS PAPERS.

c. 1522.—A small paper roll headed "Obita duodecim peticanorum"; being a table of the allowances to the Minor Canons of St. Paul's, London, on commemorating the obits of benefactors, arranged under the several months of the year. The latest name is that of Richard Fitz-James, Bishop of London, who died 15 Jan., 1521, and the list must have been written very soon after that date. As Dugdale in his *Hist. of St. Paul's* only gives a general summary of the obits, from a record of an earlier date, this list deserves printing at length.

" [Januarius]	Walterus Thorpe	ixs.
	[Johannes] Bulmer	iijs.
	Rogerus Waldronne [Walden] Episcopus	vjs.
	Galfridus de Eton	ixs.
	Rogerus Orsett	ijs.
	Willelmus Everdon	vjs.
	Richardus Fitz-James	xijs.
Februarius	Walterus Shepinton	xs.
	Johannes dux Lancastrie	xs.
	Johannes Mundayne	vjs.
	Johannes Sylveston	xs.
	Gilbertus Follett, Episcopus	iijs.
	Johannes Favell	iijs. vjd.
	Richardus Wyndover	iijs.
Martius	Richardus Grene	ixs.
	Rogerus Wygorne	iijs.
	Gilbertus de Bruera, decanus	xijs. iiijd.
	Thomas Kempe	xvjs.
	Richardus de Ely	iijs. vjd.
	Stephanus Graveshe[n]d, Episcopus	xs.
	Henricus de Cornhele, decanus	iijs. vjd.
Aprilis	Richardus de Stamforde	vjs. viijd.
	Petrus Thesaurarius	iijs.
	Richardus Juvenis	iijs.
Maius	Rex Henricus Septimus	xxs.
	Thomas de Vestibulo	ijs.
	Johannes Hilcoske (sic)	xijs.
	Fulco Bassett, Episcopus	ixs.
Junius	Johannes Pultney	xs.
	Johannes Lovell	iijs.
	Johannes Hastings, comes	vjs.
	Richardus Stratforde	iijs.

F. H. T. Jervoise, Esq.	Julius	Willelmus Risinge	vjs.	
		Johannes Brayneforde	vjs.	viijd.
		Henricus Wingham	xs.	
		Galfridus Wesnam	iijs.	
		Thomas Aswey	xxvjs.	viijd.
		Willelmus Lychefilde	iijs.	
		Radulphus Baldocke	xviijs.	
		Progenitores Willelmi Lychefylde	iijs.	
		Martinus Orlys	vjs.	
		Johannes Wyngham	iijs.	
	Augustus	Adam Scotus	ijs.	
		Walterus Nele	xvjs.	
		Johannes Abingwoorth	ijs.	
		Richardus Newporte	ixs.	
		Rogerus Delayles	vjs.	
		Johannes de Sancto Laurentio	iiijs.	vjd
		Jacobus Frysell	xiijs.	iiid.
		Domina Barton	viijs.	
		Alardus, decanus	iijs.	
		Richardus quartus, Episcopus	ixs.	
	September	Nicolaus Husbonde	vjs.	
		Domina Blaunche	xs.	
		Willelmus Mellforde	ixs.	
		Henricus de Boram	xviijs.	
		Avelana de Sancto Alano	iijs.	
		Regenaldus Kenewoodd	vjs.	
		Richardus Hayman	ijs.	
		Thomas de Orvez	vjs.	
		Willelmus Chatteshunte	vjs.	
		Thomas Leseux, decanus	vjs.	
	Octobris (sic)	Radulphus Dungene	iijs.	
		Rogerus de Waltham	iiijs.	
		Eustachius Faconbridge	ixs.	
		Willelmus Brewster	viijs.	
		Cinaus Romanus*	iijs.	iiijd.
		Galfridus de Luce	vs.	
		Rogerus Capellanus	iijs.	
		Galfridus de Acre	vs.	
		Thomas Stowe, decanus	vjs.	
		Fulco Lovell	vjs.	
	November	Johannes Dowmane	xijs.	
		Johannes Wyders	xijs.	
		Willelmus Say	viijs.	
		Phillippus Faconbridge	iijs.	iiijd.
		Progenitores Sancti Rogeri	iijs.	
		Johannes Becham	xs.	
		Richardus Gravesende	xs.	
	December			

* This name appears as "Cinoyne Romaine," in the list in Dugdale, p. 387, where the total amount of his benefaction is given as xxvjs. viiij*d*. In Hardy's *Le Neve's Fasti* the name is "Cinchius the Roman." He held the prebend of Reigmere early in the thirteenth century.

December	Willelmus Purlay	iijs.	F. H. T. Jervoise, Esq.
	Robertus filius Walteri	xxd.	
	Thomas Norflete	iijs.	
	Thomas Moore, decanus	vjs.	
	Petrus Durane	iijs.	
	Johannes Bolmes	iiijs. vjd."	

1578 and 1579.—Subsidy Rolls for the county of Southampton for these years.

c. 1580–90 (?).—An account, on paper, of money gathered for the church [of Herriard], and gifts of wheat, malt, butter, &c., "geven cleerlye to the church without chardg," including "receyved for hockinge moneye iiijs. vjd." "But the churchmen made a Kingale, and brought to this aforesaid divers other provisions, and layd out to minstrells and for other occasions hereunder . . . disbursed, xl. xixs. jd." Minute particulars are given; and the date and place are inferred from mention of Sir Richard Poulet (probably the grandson of Richard, younger brother of the first Marquess of Winchester), "Lambes 2, of Sir R. Poulet's shepherd xs."

1586.—"The Maskers' letter"; an application from some itinerant actors.

"A nostre treis chere et reverende Mounseire Richardo Pawlett,

"As straungers we late landed were within this fertyle soyle
And rested had our werryed lymes from longe and tedyous toyle.
Report at laste, that wandringe flyes throughtoute the worlde soe rounde,
With flickering fame flowe (*sic*) unto us, and in our eares dyd sounde
With trumpe of brasse your noble name, and further did declare
That straungers all, what ere they be, to yow most welcome are.
Whiche moveth us with currage bowlede our selves to represente
To yow this nighte, not meaninge harme, but even to this intente
To trye our treasure that is leatte, and prove howe beste we maye
Increase the same, or els with losse goe emptye quyte awaye.
At Basingetoke we nowe abide, but sone we will yow see,
And try thadventure of our happe whether good or bad yt bee.
Meane tyme, we humblye take our leaves, and yow to God comende,
Take in good parte we yow desire this message that we sende."

Voustre amies.
Leonard le Vernon
Andrewe la Vamdelow
Brian de la Meare
Nicholas de Lacure
Barnard de Bonvyld
Gulliam de la Bandaloshotte."

1595, 17 Nov.—"The names of those that rann at tilt on the Queenes day.

Challengers
✓ 1. Erle of Cumberland
2. Erle of Sussex
3. Erle of Southampton
4. Earle of Bedforde

Deffendants
1. Earle of Essex
2. D. Dudley
3. Knoles
4. Knoles

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Esq.

- | | |
|---|--------------------|
| 5. The lorde Cumpton
(? Knoles <i>struck out</i>) | 5. William Hawarde |
| 6. Drurye
(Dudley <i>struck out</i>) | 6. Scudeamor |
| 7. Scott
(Knoles <i>struck out</i>) | 7. Carye |
| 8. John Needham
(Knoles <i>struck out</i>) | 8. Charles Blunt |
| 9. Raynolds | 9. Nowell." |

[There is no mention of a tilt in the account of Essex's entertainment in Nichols' *Progr. of Q. Eliz. III.* 371. But a ballad on "the running at the Tilt" was printed; *ib.* 379.]

1603, 28 Apr.—"The order of the Queenes funerall." This differs from the order printed by Nichols, *ibid.* 621-6, and, as it contains some further particulars than are there given, it seems to be worth printing in full.

"First 12 Tipstaves

12 poore Almesmen of Westminster in gownes

328 poore women in gounes or kirchyffes

Next them 1,050 servingmen in blacke clokes; in the midst of them was borne a banner chardged with a red Dragon

Then followed a Steede with a syde sadelle all covered with blake cloth with the Queenes armes upon it, an Herald and Trumpeter carrying the bottoms of theyr trumpets upwards, with the Seriaunt Trumpetter before them, carrying his goulden mace

Next 50 Sergiants in gownes

Then citicens and gentlemen in gownes to the number of 300; in the midst of them was borne a banner with a grayhound, attended as aforesaid.

Then mourners in number 600 or upward; next them another baner chardged with a red Lyon; another Steede covered with black velvett with the Queenes armes aboute it, attended with Hearaulds and Trumpetters as aforesaide, which steede was leadd by the Earle of Worcester, Mr. of the Q. horse

After that came the gentlemen of the Q. Chappell in rich coapes with the children of the same, singing, to the number of 35

Next them the Q. Chaplens and divers Doctours in gounes

Then the Officers of the Q. househould, all in number 1,050; in the midst of them a Banner with 3 sheves in goolde, and another Banner was carried amongst them charged with xv milletts, carried by the Lord Herbert, the Earle of Worcester's sonne

After him came the Aldermen of London, with others, and in the midst of them was carried a banner charged with 4 white and redd Lyones by the Lord Vicounte Byndon

Then divers others following; in the midst of them was carried a Banner chardged with an harpe by the Earle of Clenrycarde

Then the Lo. Mayor of London, going by himselfe alone, his
 sworde borne before him with the poynte downewards
 Then followed all the Counsell and divers other noblemen
 Next the Byshops in theyr places
 Then followed a Banner charged with the Q. armes borne
 by the Lord of Effingham, and one carrying a greate mace
 before him
 Next following the Hearraulds with theyr rich coates, baring
 banners of divers sorts
 Then followed the K. of Herraulds in a rich coate, carrying
 the Croowne in his hand, and another with a Scutchin of
 the Q. armes
 Next followed another with the sword, the hilt upwards, all
 in rich coates with black hoods
 Next the Sceptre
 Then followed all the Earles in theyr places
 Next came the Queene in her very parliament roabes, with
 a rich crowne on her head and a sceptre in her hand,
 made of a lively picture, lyeing in a Charriot drawne with
 4 horses covered all with black velvett, with the Q. armes
 aboute them, the coachemen and footemen in blacke
 velvett, with a cannopy of black velvet over the Chariott
 borne by 6 gent. of accompte.
 Then followed all the Pentioners with theire Poleaxes, the
 poynts downewards
 The Lo. Admirall and the Lo. Thomas Hayward, and
 Herraulds in rich coats
 The La. Marquesse of Northampton, cheife mourner, her
 trayne carryed up by 2 la. and one lord
 Then followed all the countesses and other la. with theyre
 gentlewomen to the number of 140
 Then followed Sir Walter Rawlighe with the guard, being
 150, with the poynts of their holberds downewards
 The Mourners were in number about 3,135
 The Behoulders, as it is reported, above 200,000
 The Byshop of Chichester, the Q. Amner, preached at the
 funerall.
 The Bishop of Winton appoynted to preache at the Corona-
 cion."

1599.—"A rate agreed upon by us whose names are under written, inhabitants of the parish of Heriard, for the buyldinge of our Church viz. att xxxs. for every yardland within the parishe, and so after the rate, 1599." In three columns, showing the charge, the amount received, and the amount unpaid. Sir Richard Poulett (grandson of the first Richard), is assessed at £24 for 16 yardlands, and paid £28. The total number of rate-payers is twenty-three.

1603.—Address and petition of the Roman Catholics of England to James I. upon his accession.

See *Calendar of State Papers*, Domestic Series, 1603-10, p. 5.

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1603.—“The poore mens petition to the Kinge.”

- “1. Good Kynge, let there be a uniformyty in true Religion without disturbance of Papistes or Puritanes.
2. Good Kynge, let good preachers be well provided for, and without any brybery to come to their lyvings.
3. Good Kynge, let poore souldiers be well payed their wages whyle they are employed, and well provided for when they are maymed.
4. Good Kynge, let there not be such delays and crafty proceedings in lawe, and let lawiers have moderate fees: a pox take the proud covetous attorney and the mercyles lawiers.
5. Good Kynge, let poore suters be hard qwyckly, and dispatched with speed favorably.
6. Good Kynge, let no man have more offyces then one, especially in the courte or touching the lawe.
7. Good Kynge, cut off these paltry lycenses and all monopolies: fy upon all close byting knavery.
8. Good Kynge, suffer not our great ordynauce be carryed out of the land and realme to the enimies: a plague upon all covetuous treasurers.
9. Good Kynge, let not ordynary courtes nor yet the chancery be made a comon shifting place for to prolonge for pryvate gayne and brybery.
10. Good Kynge, looke to thy takers, and offycers of thine house, and to their exceding fees, who will pyll thy subjects gildings from thy princely allowance.
11. Good Kynge, let us not be oppressed with so many impositions, polings and payments.
12. Good Kynge, make not the lord of good Lyncoln duke of Shorditch, for he is a: etc. (*sic*).
13. Good Kynge, make not Sir Walter Rawleigh the earle of Panckridge, for he is a: etc.
14. Good Kynge, love thou us as we love thee, and wee will spend our lyves and harte-blood for thee.”

1603.—“The articles of Brownissian. The articles which are so injuriously imputed unto them [*sc.* the Brownists] as they themselves have published, are these”:—1. That it is not lawful to use the Lord’s Prayer publicly as a set form. 2. That set and stinted prayers are mere babbling, not to be used in Christian assemblies. 3. That the public prayers and worship established in the Church of England is false, superstitious, popish, and not to be used in any Christian congregation. 4. That the Church of England is no entire member of the Church of Christ. 5. That the Government of the Church as now established is no lawful government, but anti-Christian and popish. 6. That the Sacraments as they are now administered are not true sacraments. 7. That infants are not to be baptized according to the form now ministered, but rather to be unbaptized. 8. Many of them scruple to affirm that the King has supreme authority in cases ecclesiastical. 9. That the laws ecclesiastical already established by authority of the late Queen

and realm are not lawful. 10. That if the Prince or magistrates under him refuse or defer to reform faults in the Church, the people may take it into their own hands. 11. That the presbytery or eldership may for some causes after admonition excommunicate the King. 12. That the Church of England as now established professes not a true Christ nor true religion, but has no ministers indeed nor sacraments indeed. *Endorsed*, "7 Dec., 1603, Arrowsmithe de^d. me this note of allegations of the Brownists." F. H. T.
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1603-4, Wednesday, 17 Jan.—Account of the Hampton Court Conference. "The disputation betwene the Bishops and the Mynisters hathe bene handled and heard at the Court in the presence of the Kinge, who hathe shewed bothe greate lerning and wisdom in the moderation of the controversies. The men of name that were the mouth of the ministers were doctor Chaterton, doctor Spark, d. Reynolds and Mr. Knewstubbs, who do highlye extoll the singular knowledge and judgment of his Majestie, whose censures cann by none be disallowed that have the ground of religion. Amongst many matters propounded for reformation, such as I cann for the present caule to remembrance, delyvered to mee by a frind that then was at Court, I will hereunder set downe, viz."—1. The translation of the Bible to be committed to men of judgment to be amended in many points; 2. Excommunication not to be promulged by lay persons or for trifling causes; 3. Baptizing of infants not to be permitted to women; 4. Confirmation by Bishops not to be continued as of late years, but a general catechism to be set forth for all children to learn; which being known and directly answered to, when the children attain to years of discretion in which they shall be thought fit to be admitted to the Lord's Supper, they shall without further ceremony be partakers thereof; 5. That caps and surplices shall be used as things indifferent by ministers, not forced. 6. That the Absolution in the Visitation of the Sick shall be disannulled and altered to a better form; 7. That insufficient ministers shall not be promoted, nor non-residence or pluralities be allowed except by warrant under the King's hand; 8. "Thought the words in the Solempnisation of Matrimony *with my body I the worship*, serving rather to the service of God then to suche honorable respect as is to be used to wief, are to be altered to some other more fytt and meete words to that purpose."

There is another paper, written by a different hand, headed as "A brieve noate" of the resolutions at the Conference, which agrees in substance with P. Galloway's summary printed in Cardwell's *History of Conferences*, second edit., pp. 214-16, but adds that the Articles of Religion be explained and enlarged, and then no man to teach or read or preach against any of them, and that, matters of ceremony and order being things indifferent, the rule of the Apostle be kept that all things be done to better edification, that so neither grave, sober and peaceable persons be too far urged at first, nor turbulent and unquiet persons and busy bodies be suffered to do what they list. It is added that the King, "to the admyration of all men, gave in every of thease points full satisfaction."

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[1605, 28 April].—Copy of a petition and confession addressed to the King, endorsed "My C[cousin's ?] Hardacock's petition to the K.," *i.e.*, Richard Haydock, of New College, Oxford. The writer, finding that he could meditate best in the silence of night, with his eyes shut, on subjects in Oratory, Philosophy, and Physic, and could then discourse best on them, had out of vanity gone on to profess to be asleep while uttering his thoughts hereon and on subjects in Divinity. It had attracted such general notice that the King himself had seen him, and had detected the imposition. He protests that he "never had any sinister plott, purpose or drift, to the disturbance of the peaceable estate of the Church or Commonwealth," and acknowledges "the justice and mercie of God; justice in repaying my vaine applause with soe publique a censure of the toungs of all men; mercy in freeing me from your ma. heigh displeasure."

See *Cal. Dom. S. P.*, 1603-19, pp. 212-3. In Stowe's *Chronicle*, as continued by Howes, 1615, p. 864, there is an account of the imposition, with a short extract from this letter. Haydock was taken to the Court for the King's examination.

1608.—Copy of the warrant to the constables of the Hundred of Evinger from the Commissioners for the levying the aid for the Knighting of Prince Henry, with a receipt signed by Sir Thomas Denys for fifty shillings paid by Sir Richard Pawlett.

Temp. Jac. I.—"A relation of a familiar conference betwene a knight's eldest sonne and a student in the lawes of the Realme concerninge the preheminance of the order of knighthoode." Four and a quarter folio pages, closely written.

Temp. Jac. I.—Reasons against the continuance by Parliament of the Act made 18 Eliz. c. 20, ordering all inhabitants within five miles of Oxford to find for every yardland one wain or cart, and, every labouring person to give six days' work, about the highways and bridges within one mile of Oxford at Midsummer and Allhallowtide, or else to forfeit five shillings for every default. One folio page.

Temp. Jac. I.—Statement of the case of the attorneys in the Court of the Lord President at York against Mr. Lepton's patent for the sole making of all bills and letters. Two folio pages.

1621, 21 Apr.—Petition to Parliament signed by fifteen shopkeepers of Southampton, complaining of impositions levied upon them by two persons named John Carpenter and Nicholas Baylie, who came to them about 24 May, 1619, by virtue of a patent under the broad seal and of a pretended deputation to them made, and levied under threats of confiscation sums of money as a composition for a subsidy of cloth and stuffs in their shops appertaining to the office of alnage, and made them promise to pay yearly rents; which payments they conceive to be a new imposition never heard of

before. The original receipts for the payments are enclosed, F. H. T. Jervoise, Esq. amounting for one year to £9 1s. At the end is added, "They have forborne this last Lady day to come to demand any rent, the which forbearance is thoght to be in regard of the Parliament."

1620-1, March.—Petition to Parliament from the carriers who travel with wains, carts and waggons, against a proclamation issued about two years before, forbidding their having more than five horses to a cart, which by reason of the deep ways in winter, the heat of summer, the steepness of hills and the longness of journeys, will so limit the burthens as to compel the raising of the carriage rate; further, two-wheel carts do more hurt [to the roads], are very subject to overthrow, and very dangerous in deep waters. The names of fifteen carriers in Wilts, Hants, Sussex, Berks, Oxon and Northants are subjoined, with particulars of five special cases of grievance, one of which concerned Thomas Edgerley the Oxford carrier.

Temp. Jac. I. ?—"The reasons why yt may please the Lo. Treasurer to be perswaded to commande all the Recordes of the Exchequer to be kept in the two upper roomes of the new Burse." Firstly, the records being now dispersed in many private houses they are in danger of fires, whereas in this place there is no one fire made at all, being altogether built of stone; and the records will not be so much in danger of being lost or embezzled on the death or alienation of officers. Secondly, and thirdly, the convenience both of those who use the records and of the officers themselves, in all being in one place. Four folio pages.

Temp. Jac. I. ?—A brief of a bill to be preferred in Parliament to enable Sir John Ryves, knt., to try at Common Law his right to the farm of Lushcombe in the county of Dorset, notwithstanding any order of the Court of Chancery to the contrary. One folio broad-side.

1624 [March or April].—Contents of the letters patent granting to Dr. James Chambers and John Brooke for their lives the office of Receiver and Collector of fines and forfeitures upon penal laws, with a long vindication and answer to objections. Four folio leaves.

1624-6.—A duodecimo volume, in parchment cover.

- i. Notes of proceedings and speeches in the last Parliament of James I. from 23 Feb. to 23 Apr., 1624.
- ii. Evidence given, 25 Apr., 1626, by Dr. Bethell and Dr. Chambers, physicians to K. James, respecting his treatment during his illness.
- iii. Notes of proceedings in Parliament in April and May, 1626, in the case of the Earl of Bristol.

Upon the first leaf is this memorandum: "To present the Bishop of Woster [Thornborough] upon the Acts of State for having the la. Willobe, being his daughter, a greate papist, living in his house, and she haveing in her chamber an altar, tapers, and other popishe impellments: Wittnes, Tho. Milward, gent."

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1624 (*not dated*).—Resolution of the House of Commons that, respecting R. Mountague's books which are questioned as scandalous and dangerous, and their being informed that he is preparing another book, the King be petitioned to order that he cause no book to be published until Parliament shall resolve what is fit to be done with his other books.

This is endorsed by hastily scribbled notes by another hand of debates on 1-5 March respecting supply, of the King's message, and of the demands made on the East India Company.

1624.—“The reasons to be alleadged whie the passage of water from Southampton to Winchester should not proceed, and wherein it will hinder the towne of Southampton.” It will take from Southampton all the trade of Oxford, and the hither part of Oxfordshire, to whom is sold all or the most part of their wine and linen cloth, all Barkshire, and especially Abingdon, Newbury, and Reading, the north part of Wiltshire, as Marlborough, the Devises, &c., a great part of Surrey, as Farnham and Guildford, and all the good towns of Hampshire. Two or three hundred men who now have benefit by the carriage of goods to Winchester will be reduced to six or eight lightermen. Winchester will be wholly enriched, and Southampton wholly impoverished.

Two copies, not identical in their wording. One is signed by William Meriott, mayor, John Long, Edward Richards, William Nevey, Arthur Baker and John Major.

1625.—Heads, apparently, of a long speech in Parliament upon the general state of affairs, divided into i. the Evils outward; ii. the Evils inward.

Five folio leaves, endorsed “Evills, Causes. 1 Car.” On leaves at the end are notes of a debate on the question of a subsidy, with full outline of a statement by Secretary Cook.

1625-6, 16 March, “from my lodging in the Strond.”—A copy of the letter from Dr. Samuel Turner to the Speaker of the House of Commons respecting his charges against the Duke of Buckingham.

Printed in Rushworth I. 222, and thence in *Parl. Hist.*, 1763, VI., 434; to which copies this supplies a correction, in the substitution of “grievances *in abstracto*” for the unintelligible words “grievances in arbitration.”

1626, Monday, 18 April.—Resolution of the House of Commons with regard to Mountague's case, that he be summoned to attend the House on Thursday; that the sub-committee, with the addition of Sir Thomas Hobby, Sir Nath. Rich, and Mr. Whitaker, prepare interrogatories, and report what course should be taken for prevention of danger by the further publishing any books concerning the subject handed in Mr. Mountague's book.

See S. R. Gardiner's *Debates in the H. of C. in 1625* (Camden Soc., 1873), p. 186.

The names of the Committee are added at the bottom of the paper by another hand :—

" John Jackson	Mr. Sherlande
Sir Nathaniell Riche	Sir Humphry Line
Mr. Whitaker	Mr. Shervill
Sir Benjamin Rudyard	Mr. Rouse
Sir Robert Harly	Mr. Pym
Mr. Newberry	Sir Walter Erle
Sir William Boulstrode	Sir John Pickeringe
Mr. Francis Drake	Sir Thomas Hobby."

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Temp. Car. I.—A carefully and closely written paper, in three folio pages, of objections to alterations of rubrics, &c., in the Book of Common Prayer contrary to the Second Book of Edw. VI., and of suggestions with reference to the licensing of books, &c. The sixth in a series of questions runs thus : " Whether it be the meaning of the Rubrick in the begining of our Service Bookes which saith that in all times of his ministration the Minister shall weare a surplice, that this should be done in preaching as well as in Prayer ; seeing that Book was made only as a forme of Divine Service, and, in any reasonable construction, the Rubrick cannot extend further then to the administration of those things conteyned in the Book. And the Rubricke of 2 Edw. 6 enjoines no such thing ; only, in one place, it saith that it is meet that Graduates weare the Hoods of their Degrees. Yet hath this been attempted of late in London, to force all Ministers to weare Surplices when they preach. To what end, let wiser men consider."

Temp. Car. I.—A statement signed " per mee, Micha. Calley " questioning the right of the vicar of Herriard, Thomas Williams, to the possession of the living, in succession to John Wyn, admitted to the parsonage of Elstead, Sussex, and charging him with having been employed by Mr. Edward Savadge to find evidence to convict Sir Thomas " Jarveys " of having been privy to the killing of a tame red deer belonging to Savadge.

Temp. Car. I.—" Reasons for continuance of the salt worke at Southampton, and the necessitie of using some smale quantitie of bay salt therein." Three pages.

A patent for salt granted to — Moore was condemned in Parliament, 28 March, 1626.

Temp. Car. I.—" The state of the cause betwixt Sir Robert Mansel, knt., patentee for the sole makeing and melting of glasse, and Isaack Bugar and many others bredd and trayned up in the said trade." Apparently in 1628. One folio leaf.

Temp. Car. I.—Copies of petitions to Parliament :—

- i. From Henry Darell, esq., and Henry Goodcole, clerk, inhabitants of St. James, Clerkenwell, against George Long, esq., justice of the peace, for unjust assessments, committing hundreds of persons to prison upon his bare

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- command without warrant, vexatious suits, unlawful raising of moneys, converting the material of the Church to the building of his own house, taking land from Bridewell to his own house and garden, and undervaluing of Jesuits' goods and converting them to his own use. [1628.]
- ii. From Anthony Norwood, of Wykeham, Linc., gent., in behalf of himself and other the inhabitants of the parts of Holland, against Sir William Welby, of Gedney, a deputy-lieut., for levying a tax for the King's service, on his own authority alone. The tax is a penny an acre, which in the town of Moulton cometh to £20, and throughout the parts of Holland to £700 or £800 at the least.
 - iii. From John Ellzey, on behalf of Richard Dalby, mayor of Southampton, John Major, alderman, Nicholas Pescodd, Francis Knowles, and others, merchants of the said town, to Sir Thomas Fleming, knt., and Henry Shervill, esq., to procure redress from Parliament for grievances done by the officers of the Customs in the exaction of excessive and unjust fees.

Several papers of fragmentary scribbled notes, partly in pencil, of speeches in Parliament, notes of private bills, speeches of the King and Lord Keeper, &c.

1627-8, 22 Feb., Devizes.—Copy of a reply from the Justices of the Peace for Wilts (signed by the Earl of Hertford and twenty-two others) to letters from the King and Privy Council of 11 and 12 Feb. for the levying of a benevolence. They are unable to do it for the following reasons:—1. They conceive it impossible to tax each particular man according to the truth of his estate; 2. his Majesty's present occasions would be sooner supplied by a Parliamentary course, for what may be given in Parliament can be presently levied, but in this way, though men were willing to give, they would take their own time, and if they refuse, the justices know no legal course to force them to pay it; 3. upon the last loans the lords then employed upon that service assured them that his Majesty would not press his people any more in this nature, which was, confirmed by Proclamation, upon which assurance the Justices engaged themselves in like manner; 4. the charges upon the country for billeting and conducting soldiers, and relieving the infected city of Salisbury have been so great, that by reason of the poverty of the country the said charges already lying upon them can hardly be gathered.

Endorsed "Never sent, by reason of the K[ing's] countermand and somons of Parliament."

1628 [April?].—Statement of grievances with regard to muster-masters, their pay, and the proceedings of deputy-lieutenants with regard to musters. One leaf.

1628 [April ?].—Statements with regard to grievances caused by the courts of the Constable and Marshal, Steward of the Household, and with regard to military or martial law, with a note of "Sir H. Martyn's tenents or positions" thereon. Four folio pages. F. H. T.
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1628, May.—A paper endorsed, "The Duke's manifesto at th'Exchange in May, 1628"; a speech apparently addressed to mutinous seamen by the Duke of Buckingham as Lord High Admiral. "I have done more for you then any my predecessors have done. I procured the increase of your paie to a third parte more then it was. I have parted with my owne money to paye you, and engaged all my owne estate for your satisfaction, albeit you belonge not to my place to provyde your payment, nor was it expected from my predecessors. Before I went the last voyage by my often solicitations I procured assignement for money to paie you att your retorne, but it was diverted in my absence for other occasions. And howe myselfe and you suffered by forgetfulness and negligence when I was absent in that service yourselves well knowe. The King hath noe meanes to paie you till the Parliament give it, or that by the breach (?) of it his Majestie maye raise money otherwise. As for your threatninge to pull downe the walls of my house about my eares, when I shall see you come with any such intention, I will lett you knowe that I can and will correct you as sharply for your insolence and disorder as I have bine forward to procure your satisfaction and have bine sensible of your sufferinge."

1628, 16 June, Sarum.—Letter to Henry Sherfeild, esq., Recorder of the city of New Sarum, at his chamber in Lincoln's Inn, from the Corporation. The assizes being shortly to be kept, and the sessions being now wanted and expected, they write to certify that there is not any person sick or suspected to be sick of the sickness or any such contagious disease, that no one has died of such disease for the thirty days last past, and that no person has died in the pest houses since they were first made use of, but they are all well. They therefore desire him to come with as much speed as he may. Signed by James Abbott, major, Ri. Godfreye, Matthew Bee, Rob. Banes, Thomas Raye and Henry Pearson.

1628.—Statement of the arrest by the Sheriffs "by Mr. Tendring's meanes," at Newgate, "the Sondag before Moore was to be executed" of two popish priests named Cole, *alias* Collie, and Townesend, *alias* Rockwood, and that two imprisoned priests were found wanting, one of whom the turnkey said went forth by warrant from the Earl of Dorset and Sir Henry Spiller.

Endorsed, "Mr. John Tendring's instructions." Tendring was the Marshal of Middlesex.

1628-9.—Notes of the proceedings of a committee of the House of Commons respecting the pardons granted to Bishop Mountague and Dr. Wainwaring, held in the Court of Wards, 4-9 Feb. with orders for production of witnesses, &c. Six folio pages.

A note to Sir Robert Pye from Mr. ——— Parker is enclosed; both were members of the Committee. The writer of the notes was desired to make certain enquiries in conjunction with Mr. Selden.

F. H. T. 1634.—Papers relating to the collections for the repair of St.
 Jervoise, Paul's Cathedral.
 E. q.

1. The printed Commission from the King, 4°, 23 pp.; dated 20 Dec. *an.* 9., 1633.

On the outside leaf is written, "Wednesday, the 30th of July is the day of meeting at Winton. Edw. Hooper."

2. Six letters signed by Tho. Jervoise, H. Wallop and Ro. Wallop to the Constables of the hundreds of Basingstoke *infra* and *extra*, Bentley, Holscott, Micheldever and Odiham, directing them to summon a large number of persons whose names are subjoined under their several parishes, to appear at Basingstoke on Saturday, 6 April, at 8 a.m., to declare their free and liberal intentions, they not having appeared at the meeting on Thursday last, as they were warned to do; 26 March, 1633[-4].

In the lists of names the sums promised, chiefly 1s. and 2s., are added; many persons are marked as absent, a few as sick or dead, and six as "pauper," amongst whom is Daniel Lloyd, the minister of Southbrook.

3. Copy of a letter from the Privy Council about the non-fulfilment of many promises of contributions by annual payments or otherwise; 9 July, 1634.

1640, 19 Dec.—Order of the House of Commons upon a petition from the inhabitants of Hughenden, Bucks, respecting preaching ministers.

Journals of H. of Commons, II. 54, where the correct date is 19 Dec., here given as 12 Dec.

[1641.]—"The reasons wherefore the Woodmongers should still contynewe their government of carrs and car-roomes as formerly they have done."

See *ibid* II. 128.

Commonwealth Period.—Copy of a petition to Parliament from inhabitants of the west division of Surrey who had been employed in the service against Basing House and in the county from 2 Feb., 1643, to 2 May, 1646, complaining that they are unpaid for their service, and have been refused payment by Sir Richard Onslow, a chief member of the county, although they conceive the money was raised for the purpose upon their division by taxes called County debts and Farnham Castle debts.

Counter-representation to the Lords Commissioners of the Great Seal, signed by eleven officers who had served under Sir Richard Onslow, Knt., against Basing House, certifying that he was very careful and faithful in all his service and in procuring payment for the soldiers under their command, and that they are assured there was not one who was not paid five shillings a week for the whole time he was at Basing, but for the service in the county for defence of their own towns no promise was made by Sir R. Onslow to any of the soldiers, only some payment to some of the officers.

Petition to Parliament signed by 32 inhabitants of the west division (including Henry Baldwin, mayor) desiring that the matter may be referred to the Commissioners of the Great Seal for examination.

W. D. MACRAY.

MANUSCRIPTS

PRESERVED AT

GLEMHAM HALL, SUFFOLK.

THE Manuscripts preserved at Glemham Hall, one of the seats of the Earl of Guilford, are of interest principally with regard to two very different subjects. The one is the long series of deeds relating to property in the manor of St. Briavel, in the Forest of Dean, which in the early part of the fourteenth century belonged chiefly to a family named Malemort, succeeded by descendants who bore the name of Gayner. The other is that, in virtue of an ancestor, Sir Dudley North, being one of the Sheriffs of London in 1683, the warrants directed to him for commuting the sentence for high treason on Lord William Russell to simple decapitation, dated two days before his execution, and for the delivery of his body to his wife, dated on the day itself, are here preserved. And a third item deserving some special notice is the Bristol rent-roll of the Carthusian monastery at Witham, Somerset.

Two singular surnames met with in the Gloucestershire deeds are Wythond [*Whitehand*] and Chacchemayd or Cacchemayd (1339–1500) which latter name appears in 1491 as Chachemay and in 1497 Cachemay; and in 1622 we meet with Sir Richard Catchmay, knt.

c. 1280–90.—Grant from John Yvor of St. Brevell to Philip, son of Wronou de Coumkarnan, and Margery his wife, of a messuage in St. Brevell. Witnesses, Stephen Malemort, Will. Rode, Gilbert Achard, John Palmere, Philip de Malemort, chaplain. *Tattered*.

1281, 9 Edw. I.—Lease from John Achard of St. Brevell to Nicholas the Smith (“fabro”) of Zelewode, of a part of his land in the manor of St. Brevell, for 15 years from Mich., 9 Edw., at a yearly rent of 6*d*. Witnesses, Stephen Malemort, Richard, son of Philip, Rich. Malemort, Gilbert Rood, Walter Overel. *Tattered*.

c. 1300.—Grant from Roger le Hethene of St. Briavell to Walter Malemort of the same, of a messuage, with small quit-rents from Silvester . . ., Stephen Felix, and Elena le Hethene. Witnesses, Will. Persone, Osbert Malemort, Will. Achard, Ralph le Paccare, Will. le Mulknane, John le Hayward. *Not perfect*. Small white seal, effaced.

c. 1300.—Grant from Philip Rode, son of Will. Rode of St. Briavell, to William Peressone, of an acre of land. Witn., Will. Hathewy, Ralph Hathewy, . . . Adam Phelip, junior, John the Clerk. Black seal, a star; “S’ Ph’i Rode.” *Partly effaced*.

Glemham
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c. 1300.—Release from William, son of Walter Wythond, to Nicholas Gayner, of his right in a messuage within the manor of St. Briavell. Witnesses, Osbert Malemort, Walter Aleyn, John Selewode, Will. Porter, Will. Terevile.

c. 1300.—Release from Richard de Malemort to Osbart (*sic*) de Malemort, in consideration of the receipt of one mark, of all claims against Stephen de Malemort for the tenements which he held, except for two acres of land and a messuage near Stanydelf.

c. 1300-10.—Grant from Ralph de Monte to Ralph his son, of a messuage and croft, &c., in Aylbrytone, paying yearly 17*d*.

1320, 4 Oct., Sat. after f. of St. Michael, 14 Edw. fil. Edw. At Newborough ("Novum Burgum").—Grant from Cicilia Byle to Roger de Sancto Mauro, of her right in two acres of land in Moragonslond, in the fee of Lobenet. Witnesses, Lewelin ap Meura, John de Puneston, Will. de Meura, Philip ap Ivan, Rob^d Ede.

1327, 22 May, Friday after f. of St. Ethelbert, K. and M., 1 Edw. III. At St. Brill.—Grant by John Beatrich, "de Sancto Brillo," to Osbert Malemort, for a certain sum of money, of twelve pence of annual rent from John son of Walter Overal for a messuage and croft which Henry Ely formerly held. *Tattered through damp.*

1328, 1 Nov., Tuesd., f. of All SS., 2 Edw. III. At St. Briavell.—Release from Margery le Gaynare to Osbert Malemort, of her right in a messuage and curtilage in St. Briavell. Witnesses, Walter, chaplain of St. Cross, [etc.].

1330, 9 Sept., Sund. after Nativ. B.M., 4 Edw. III. At St. Briavell.—Release from John Rode to Osbert Malemort, of all his right in a plot of land in St. Briavell, between the messuage of the late John Bertram and the messuage of the late William Toulderay, extending to the highway leading from the well "de la Sheote" towards le Whytecroyce.

1330, 12 Sept., Thursd. after Nativ. of B. M., 4 Edw. III. At St. Briavell.—Grant from William le Blount to Osbert Malemort, for a certain sum of money, of three pence of annual rent from Will. Drogwas and Agnes his wife, for a messuage near la Brodewalle in St. Briavell.

1331, 20 Apr., Sat. before f. of St. Mark, 5 Edw. III. At Newborough ("Novum Burgum").—Release from Robert Byle to John de Sancto Mauro, of his right in two acres of land in Traganyston. Witnesses, Meuric de Kemmeys, Meuric ap Wronou, Philip Vaughan.

1331, 21 Apr., Sund. before f. of St. Mark, 5 Edw. III. At St. Glemham Briaull.—Release from Adam, son of Adam Phelip, of St. Briaull, to Walter Withond, for a certain sum of money, of his right in a messuage and croft between the highway leading to the Wers and the land which Will. Selewode held. Witnesses, Osbert Malemort, [etc.]. *Mutilated.*

1331, 16 June, Sund. after f. of St. Barnabas, 5 Edw. III. At Huwaldusfelde.—Grant from William Cole of Huwaldusfelde to John Aleyn of St. Briavell, of a piece of land in the field of Huwaldusfelde, in a place called la Newevelde.

1331, 1 Oct., Tuesd. after f. of St. Michael, 5 Edw. III. At St. Briavell.—Grant from John Doter (?), son of Rob. Doter (?), to Osebart Malemort, "pro amicissia sua mihi illariter sepius inpensa," of four pence of annual rent from Silvester Goudwy, for a messuage and parcel of land near Ke . . . walle, between the land of the said Osebart and the stream called le Holoubrock. Witnesses, Walter Wytehond, [etc.]. *Tattered.*

1335, 16 Nov., f. of Transl. of St. Edmund, archbishop, 9 Edw. III. At St. Briavell.—Grant of Osbert Malemort to John Lude of the same, of two pieces of land in the manor of St. Briavell, in the field called Holewemersschefeld, paying 4*d.* annually.

1337, 23 Nov., Sund. on f. of St. Clement, 11 Edw. III. At la Newelonde.—Grant from Richard, son of Nicholas Mychel of la Newelonde, to John, son of Robert Mychel of la Peek, of a parcel of land at la Peek, between the tenement of the said John and the highway leading from la Sponne towards the church of la Newelonde; paying yearly one penny.

1338, 24 Aug., f. of St. Bartholomew, 12 Edw. III. At St. Briavell.—Grant from John Malemort, son and heir of the late Richard Malemort, to John de la Lude, of the same, of a piece of arable land within the manor, in the field called Okeholte. *Injured by damp.*

1339, 2 May, Sund. after f. of SS. Phil. and Jas., 13 Edw. III. At St. Brievell (*sic*).—Grant from William, son of the late John le Muleward, of St. Briavell, to Silvester, son of the late Walter Godwy, and Sibilla his wife, of a piece of land between that of John Aleyn and that of Osbert Malemort. Green seal; a stag's head, with a cross above and two mullets in base; "S' Willi' Alani."

1339, 14 May, Frid. after f. of SS. Gordian and Ephimachus, 13 Edw. III. At Worcester.—Grant from Walter Malemort, son of Stephen Malemort, of St. Briavelle, to Nicholas Malemort, chaplain, for his life, for a certain sum of money, of the tenement which Will. le Thachare held in the said vill, extending lengthways from the highway leading from the place called la Wytecroys towards the parish church to the stream called la Holoubroc. Witnesses, Tho. Duc the goldsmith, Roger Chachemayde, [etc.].

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1346, 4 June, Sund. before f. of St. Barnabas, 20 Edw. III. At St. Briavell.—Grant from Christina, widow of John Attelude, to Nicholas Gayner and John his brother, for a certain sum of money, of all the lands, &c., which she has within the manor of St. Briavell. Witnesses, Osbert Malemort, Walter Wythond, [etc.].

1347, 9 May, Wedn. before f. of St. Dunstan, 21 Edw. III. At St. Briavell.—Grant from John Rode to Nicholas Gayner and John his brother, for a certain sum of money, of an acre of land within the manor of St. Briavell, in the field called Renannescroft, between the land called Gibunnesleye and the land of the late John Attelude. Witnesses, Osbert Malemort, [etc.]. Small white seal; a stag; "S' Johannis . . ."

1347, 4 Nov., Sund. after f. of All Saints, 21 Edw. III. At St. Breavell.—Grant from John Godwy to Nicholas Gayner and John his brother, for a certain sum of money, of all his land lying in le Nethere Godwyesrudinge.

1349, 8 Feb., Sund. after Purif. B.M., 23 Edw. III. At St. Briavell.—Grant from Philip de Kymadstone and Nicholas Gayner to John Aleyn and Joan his wife, of all the lands, &c., which they had by the gift of the said John, within the manor of St. Briavell, excepting one field called Pygasushal. Witnesses, Osbert Malemort, [etc.].

1349, 21 June, Sund. before Nativ. St. J. Bapt., 23 Edw. III. At St. Briavell.—Grant from Thomas Broun to Nicholas Gayner and John his brother, of all the lands, &c., together with nine pence of annual rent from Will. le Spencer, which he had by feoffment of Joan, daughter of Roger Rugelyn, within the manor of St. Briavell and the hamel of New Land ("in hamello de Nova Terra").

1349, 3 Sept., Thursd. before f. of St. Cutbert, 23 Edw. III. At St. Briavell.—Grant from William Whithond of St. Briavell to John Marky of Ruardyn and Cristiana his wife, of a tenement near the place called le Brodewalle, which was formerly Agnes Brid's. Seal, a hand extended; inscr. illegible.

1355, 27 April, Mond. after f. of St. George, 29 Edw. III. At St. Breavell.—Grant from John Godwy to Nicholas Gayner and John his brother, for a certain sum of money, of ten pence of annual rent from the heirs of Walter Daungerwyle, from land in le Overe Rudinge and the Nethere Rudinge, within the manor of St. Briavell.

1355, 22 Sept., Tuesd. after f. of St. Matthew, 29 Edw. III. At St. Briavell.—Grant from Walter Laser to William Rede of St. Briavell, of a piece of land in the field called Wyrhals.

1361, 20 June, 35 Edw. III. At Flaxley.—*Inspeximus* by William, Abbot of the Monastery of B. Mary of Flaxley, and the Convent, of a memorandum by the Keepers of the Forest of Dene

of a licence granted at the end of the 34th year of K. Edw., son of Henry (1306), by Walter de Gloucestre and William de Hardene to Osbert Malemort to enclose 33 acres of the waste of the forest, paying yearly to the King three pence for each acre, and for entering upon the land sixteen shillings and nine pence. This grant the Monastery confirms to William Gayner of St. Briavell, son of Osbert Malemort. Witnesses, John Hathewy, Constable of St. Briavell, [etc.]. Glemham Hall.

1363, 15 Jan., Sund. after f. of St. Hilary, 36 Edw. III. At Aylbritone.—Grant from William Gayner to Elizabeth Gayner and John her son, of all the lands, &c., in Lydeneye and Aylbritone, which he with John Gayner and Rich. Pulesdone of Aylbritone had by feoffment of her late husband John Gayner.

1372, 26 Aug., Thursd. after f. of St. Barthol., 46 Edw. III. At St. Brevell.—Power of attorney from Richard Pulusdone of Aylbertone to John Mawzan of Lydene, to give seisin of a house in St. Brevell to Thomas Folyot and Joan his wife.

1385, 13 Aug., Sund. after f. of St. Laurence, 9 Rich. II. At St. Briavell.—Grant from Richard Carsewall of St. Briavell and Joan his wife to Thomas Rogus of the same and Agnes his wife, of a parcel of land between the highway called Boluslone leading towards Aylbreton and the meadow of John Tylare and that of John Gayner of Wyllysbur. Seal, a merchant's mark ; inser. illegible.

1391, 20 Nov., 15 Rich. II. At St. Brevell.—Grant from William Bakere of St. Brevell, in the forest of Dene, to William Tannere of the same, of a piece of land within the demesne of the King, extending to land called Neelusmersch on the east and west, with power of redemption after one hundred years by payment of one hundred shillings.

1376, 28 Sept., Sat. before f. of St. Mich., 50 Edw. III. At Mork.—Grant from William Flecher of la Lee to Roger de Mork and John Holow of the same, of a tenement, garden, a piece of land, and a piece of a grove, formerly Nicholas Cradok's, lying together, between the grove called Pykyntreo and the way leading from Stowe towards the mill of Mork, and another way called Wygeteswey leading from St. Briavell towards Monmuth ; and another piece of land with a grove called le Mullehulle, lying between a lane called Lepezateslone and the running stream of Morkeshede towards the bank ("ripam") called Whye, and the way leading from St. Briavell towards Morkeshede. Witnesses, Rob. Cele, constable of the castle of St. Briavell, [etc.]. Small green seal ; a stag couchant ; inser. illegible.

1403, 18 Sept., Tuesd. before f. of St. Matthew, 4 Hen. IV. At Yveton.—Grant from Roger de la More, son and heir of Rob. de la More, and lord of Yveton, to David Smyth of Yveton, and his children in succession, of a messuage and eight acres of land in Pycotysmede and above the hill called Castelys. *Partly obliterated by damp.*

Glenham
Hall.

1405, 4 July, Saturd. in f. of Transl. of St. Martin, 6 Hen. IV. At Newlond.—Grant from John Herbard of Newlond to John Taylor of Peek, of a messuage and meadow at Peek, in the parish of Newlond; paying yearly twelve pence.

1409, 1 May, Day of SS. Phil. and James, 10 Hen. IV. At St. Briavell.—Grant from William Wether, of the parish of St. Briavell, to his wife, Angnes Wether Wether (*sic*), for her life, and afterwards to his daughter, Marion, of his capital house and a tavern ("tabernam") and pasture called Hogenys and le Cloos and Hert-hille. Black seal, with a singular merchant's mark; a cross, with possibly the scourge and other instruments of the Passion; inser. illegible.

1414, 21 Apr., Saturd. before f. of St. George, 2 Hen. V. At St. Briavell.—Grant from Matilda Dobyn, of the parish of St. Briavell, widow, to Thomas Frere and Margaret his wife, of two parcels of land in the field called Aylismoor, in the manor of St. Briavell, of which one extends to the way leading to Hewgellissfelde; paying yearly one penny to the heirs of Edward Whyte. Seal with the sacred monogram "ih'c."

1422, 15 July, Wedn. before f. of St. Margaret V., 10 Hen. V. At Clourewalle.—Grant from Isabella Achard of Lydeney, formerly the wife of Ralph Haydone of the same, to Alicia Deylow of Clourewalle, of a tenement in the street called le Peek, with three pieces of land and a grove, in the parish of Newlond, of which one piece is in Carreweye, and one in Pyckyd lond.

1429, 8 Dec., f. of Concept. of B. Mary, 8 Hen. VI. At St. Briavell.—Lease from John, son of Richard Whytyngtone, of the parish of St. Briavell, to Thomas Bonde, of the parish of Newlond, of all his lands and tenements, &c., within the parish of St. Briavell and beyond the Severn ("Sabrinam") in Schippardyn, within the parish of Rokhampton, for the term of twenty years, the said Thomas providing the said John and his wife Elena with food and drink, woollen and linen clothes, shoes, bed, a honest and sufficient chamber within his house, and all necessary and reasonable expenses and also maintaining all the buildings and making enclosures.

1430, 30 Jan., Mond. before f. of Purif. of B.M., 8 Hen. VI. At Clourewalle.—Grant from Katherine Taylour, widow of John Taylour of Clourewalle, to Richard Taylour, of a messuage at Clourewalle, in the street ("vico") called le Peek.

1430, Sept.—1431, April, 9 Hen. VI. At Clourewall.—Three deeds, fastened together, of conveyances between Thomas Calvesden and John Tailor of a meadow called le Herbard and lands called le Hore.

1435, 25 Jan., Tuesd., f. of Conv. of St. Paul, 13 Hen. VI. At St. Glemham Hall. Briavell.—Grant from John, son and heir of Richard Whityngtone, to Thomas Bonde of Wyesheld, in the parish of Newlond, of all his lands and tenements within the manor of St. Briavell and the bounds of the forest of Dene.

1439, 10 Nov., 18 Hen. VI.—Grant from William Hertland to Richard Kemyll and Alice his wife, of an annual rent of 33s. 4d., to be paid half-yearly in the church of St. Nicholas, Gloucester.

1440, 12 March (?), Sat. after f. of St. Felix, 18 Hen. VI. At Clorewall.—Grant from Richard Taylour to John Taylour of the property conveyed to the said Richard in the deed of 30 Jan., 1430.

1442, 16 May, 20 Hen. VI. At Clorewall.—Grant from John Hamys of Clorewall to William Wydour and Joan his wife, of a messuage with a croft and a field called le Coote, which he had from John Chaunterrell, of which the messuage lies between the highway from la Ynde towards Clorewallcrosse and the land of Rich. Skene, &c.; paying yearly to Joan Wyggeyate four pence and to Philip Walle six pence.

1442, 1 Nov., f. of All SS., 21 Hen. VI. At Clorewall.—Grant from Joan Greyndoore, late the wife of Robert Greyndoore, of Clorewall, esq., to John Carpynter, of a tenement in Colford, in the parish of Newlond, in the forest of Deane; paying yearly four shillings and four pence, with reversion of the rent to her daughter, Elizabeth, lady La Warre. Red seal of arms, indistinct; a chevron, thereon a crescent, between six . . . (?) in chief and four crosses in base; impaling a bar between . . . ; inscr. broken.

1446, 13 Nov., Sund. after f. of St. Martin, 25 Hen. [VI.]. At St. Briavell.—Grant from John Whetyngtone to John, his son, George Bond, Rob. Bond and Rich. Grefit, of two parcels of land which Rich. Averam formerly held. *Mutilated*.

1447, 26 Jan., 25 Hen. VI.—Warrant from Thomas Derhurst, a justice of the peace for Gloucestershire, securing John Whittingtone from arrest, he having given security to keep the peace towards John Ely.

1452, 3 May, f. of Inv. of H. Cross, 30 Hen. VI.—Release from Robert Hychys and Alice his wife to Philip Teylowe, son of the said Alice, of all their right in a piece of land with a parcel of a grove within the parish of Newlond, near Lamscoy. One seal bearing a head, broken; the other, a figure under a canopy, "Ave Ma[ria]."

1456, 21 Aug., 34 Hen. VI.—Release from Philip Walle of Clorewalle to John Taylour of the same, of all his right in a parcel of land and of a grove lying together in a field called le Rudyng, near le

Glemham Donput, in the parish of Newlond ; paying yearly seventeen pence.
Hall.

1463, 11 June, 3 Edw. IV. At Clorewalle.—Release from Richard Taylore to his brother, John Taylore, of all his right in a messuage, 7 acres of land, and a grove ; which messuage lies at Clorewall, in the street (“ vico ”) called le Peke.

1464, 2 Sept., f. of St. Margaret V. and M., 4 Edw. IV. At St. Briavell.—Grant from William Trusley of Bristol and Isabell his wife, daughter of the late Rich. Cachemaide, and Thomas Bole of Bristol and Margaret his wife, daughter of the said Richard, to John Hoskyn of St. Briavell, son of Roger ap Jerrorth of Penalthe, of a messuage, three parcels of arable land, and three parcels of grove, of which one is called Bluntesgrove and two are called Dangerulusgrove, below the way leading from St. Briavell towards Bekeswere, near Malkynhasill and Cocly’s Grove at one end, and at another end the “ commyn ” called le Mynde.

1469, 6 Apr., 9 Edw. IV. At Clourewalle.—Release from Henry de la Chamber, son and heir of John de la Chamber, late of Clourewalle, to his mother, Isabella, and John Vawre, now her husband, of all his right in a tenement in the street called le Peeke, which the lady Joan Barre formerly the wife of Rob. Greyndour, esq., gave to Margaret Rose, with reversion on her death to the said John de la Chamber, now deceased, and his wife, the said Isabella.

1469, Monday after the term of Hockeday, 9 Edw. IV. [17 Apr.].—Court-roll entry at the Court of William Earl of Pembroke for Newton, held at Caldecote, of the surrender of a messuage and land by Thayron ap Jevan Vaghan and the admission of John ap Thomas ap David ap Hoell.

1471, 31 March.—Will of William Reve, of St. Briavell, “ sownde of mynde, sore wowndede, dredyng the parel of dethe ” ; in English. To be buried in the churchyard of the church or chapel of our Lady of St. Briavell ; to the high altar of the church or chapel, viiid. ; to the reparation of the body of the church or chapel, a parcel of land called Holowe Merche ; to Margaret his wife, all his lands and tenements, for her life, Agnes his daughter occupying conjointly his principal mese place, with the reversion of it ; to John, his elder son, after the death of his wife, two parcels of land at Wolstonysgrene, and to John (*sic*), his younger son, a mese, late Thomas Roberte’s, and a parcel of land at Kokeshetehille, sometime Thomas Shede’s ; his wife and Philip Reve, his son, executors. Proved in the parish church of Lydney, 11 July in the same year.

1472, 12 Nov.—Will of John Tailour, of Clorewall, in the parish of Newelond ; “ eger in corpore.” To be buried in the cemetery of the parish church ; to his wife, Margaret, two tenements in Clorewall, “ on le Peke,” with reversion to Richard, his elder son,

and one to his younger son, John. Proved in the cathedral church of Hereford, 8 Nov., 1473. Glemham Hall.

1473, 24 Aug., f. of St. Barthol., 13 Edw. IV.—Lease from John Whythynstone of St. Breavell to John Masone of the same, of a croft in the said parish called Cobbe's Mede, for forty years, at an annual rent of twenty pence.

1477, 16 May, 17 Edw. IV. At St. Briavell.—Grant from Robert Hiot to Rich. Basset, John Reve, senior, and John Hopkyns, of a parcel of land in St. Briavell.

1478, 12 Feb., 17 Edw. IV. At St. Briavell.—Grant from Thomas Cachemayde, senior, to Mariona Longforde, of all the lands and tenements in St. Briavell and Hewelsfelde, which he, together with Will. Reve and John Mathone, deceased, had by her feoffment; with reversion, on her death, to her son, Thomas Longforde. Red seal, broken; the sacred monogram, "ihc."

1479, 7 March, Sund. after f. of St. David, bp., 18 Edw. IV.—Lease from Walter Ordewy and Richard Hyde, shoemaker, proctors of the service ("procuratores servicie") of B. Mary of Rosse, to William Madock, of the same, tanner, with the unanimous consent of the parishioners of Rosse, of a tenement in Rosse, at le Newmylle, lying in length from the street leading from Edcrofte Crosse towards Newmylle at one end, and at the other to the pasture called le Reck, for the term of 99 years, at the annual rent of two shillings.

1481, 16 Apr., Mond. after Palm Sunday, 21 Edw. IV. At Newlonde.—Grant from Alice Water, widow, daughter and heir of Nicholas Mason, deceased, of Clorewall, to Richard Taylour, son of John Taylour, of the same, of two pence of annual rent, payable by him for his garden in Peecke. Small seal; "ihc."

1486, 18 May, "in iiij^{ta} feria in hebdomada Pentecostes," 1 Hen. VII. At "Grassdewe."—Lease from Richard the Abbot of Grace Dieu ("gratiadei") and the Convent to Henry Brytt of Newland of two fields at Wygyate in the forest of Dene called le Castyllond, for 99 years, at annual rents of 6s. 2d. to the abbey and 9s. to the King. Oval red seal, the Abbot with pastoral staff and hand raised in benediction, with a label bearing his name "Ricardus"; inscr. broken; "Sigillum . . . beate Marie." *Endorsed* as having been enrolled in the office of Richard Mille, auditor [of the Exchequer] 3 Edw. VI.

1488, 10 Jan., 3 Hen. VII.—Conveyance from Robert Dunnyng and James Dunnyng of Lydney to Agnes Dunnyng, late the wife of John Dunnyng, of all the lands, &c., which they had by feoffment of the said John, in Lydney, with reversion to John Hovy, junior, and Isabella, daughter of the said John.

Glemham
Hall.

1488, 29 Nov., 4 Hen. VII.—Release from William Waren of Etlow to John Hovy and Sibilla his wife, of Lydney, of his right in a messuage and garden in Lydney, conveyed to them by deed of 26 Nov. preceding.

1489, 20 May, 4 Hen. VII.—Lease from Thomas Abyntone, of Bristol, "inholdere," and Joan his wife, to John Hopkyns, of Brokewere, in the parish of St. Brevell, bachelor of arts, of all his lands, &c. (described at length), in the said parish, for nineteen years, at an annual rent of twelve pence.

1491, 28 Dec., 7 Hen. VII.—Release from William Motone, gent., to Matthew Cachemay, of all his right in a grove called Fyctayls.

1493, 30 May, 8 Hen. VII.—Grant from John Langford, of Bristol, merchant, to Matthew Cachemay, of a messuage in St. Briavell, near the churchyard. with reversion to Robert Tailour of Alvyngton. Witn., Christopher Beynam, esq., Will. Wyrall, Will. Hathewey, gentlemen, Rob. Whityngtone, John Aylbertone.

1495, 1 March, Mond. after f. of St. Matthias, 10 Hen. VII.—Court-roll entry at the Court of the King at St. Briavell, before Alex. Beynam, knt., the Constable, of the admission of Rob. Whetyntone to a small parcel of land. *Very tattered.*

1497, 2 June, 12 Hen. VII.—Power of attorney from Will. Baker, of St. Brevell, "yoman," and Elizabeth, his wife, to Philip Cachemay, to give seisin to Matthew Cacchemey, "yoman," of a tenement, &c., in St. Briavell, in the street called Venne street.

1498, 2 Feb., f. of Purif. B.M.V., 13 Hen. VII. At St. Briavell.—Lease from Robert Whetyngton of St Briavell to Walter Hurdeman, of the same, of a parcel of meadow, for nineteen years, at annual rent of 5s. 6d.

1499, 15 May, 14 Hen. VII.—Conveyance from John Hevy (*sic*) of Lydney to four trustees of a tenement and garden in Lydney, with this memorandum attached upon a separate slip of parchment—"The entent of me John Hevy ys thys th^t my feoffors after my dyssese shall make sure state un to Johne my sone for a recompense of hys costes done on me in my sekenys." A power of attorney from the feoffees to give seisin accordingly is dated 1 Jan., 15 Hen. VII. (1500).

1500, 25 Dec., f. Nat. Domini, 16 Hen. VII.—Lease from William Abyntone to Matthew Cachemayd, of all his lands, &c., in the parish of St. Brevell, late in the tenure of John Hopkyn, to hold for 30 years, from 20 May, 1508 (*sic*). On 17 Dec., 18 Hen. VII. (1502), Will. Abyngtone, son and heir of Joan Abyngtone of Bristol, one of the daughters and heirs of Philip Cachemaid, grants to Matthew Cachemaid all his property in the parish of St. Brevell.

1501, 24 May, Mond. before f. of Pentecost, 16 Hen. VII. At St. Glemham Briavell.—Lease from Robert Whetintone to William Carpenter, ^{Hall.} junior, of a parcel of land at St. Briavell, for 20 years, at an annual rent of 3s. 4d.

1516, 26 Sept., 8 Hen. VIII.—Grant from Nicholas Wykes, of Dursley gentleman, to John Mathewe, of Bristol, draper, of three tenements in Baldewynstrete, Mersshstrete, and Grope lane, Bristol. Witnesses, Roger Dawes, mayor, John Vaghan and Rich. Hoby, aldermen, John Popley and John Bowlond, late mayors.

1526, 8 Jan., 17 Hen. VIII.—Grant from John Rodney, knt., to John Shipman, of Bristol, merchant, of an annuity of £4 from a messuage in Bristol, in the street called Smalstrete. “Et quia sigillum meum quampluribus est incognitum ideo sigillum officii majoris majoratus sue ville Bristoll appone (*sic*) procuravi.” But the grantor’s seal of arms alone is attached; three eagles displayed, crest, an eagle displayed; “S’ Joh’ is Joh (*broken*) domini . . . ell.”

1533, 3 June, 25 Hen. VIII. At Nulond.—Lease from Roger Wynter, chaplain of the chantry of St. John Bapt. and St. Nicholas of Nuland, to William Mathyn, of Mork, of a grove called Brownehyll, in the said parish, between the land of the lord Baynaham, knt., called Pekyntre, and the land belonging to the service of St. Cross, in the parish of Brivell, for forty years, paying yearly to the said Roger and his successors, as chaplains, 2s. 8d.

1541, 22 March, 32 Hen. VIII.—Letters patent granting to Sir Walter Denys, knt., of Durham, Glouc., for the sum of £760 11s. 7d., the manors of Hamswell, Coldeashetone and Tatwike, in Gloucestershire, lately belonging to the dissolved monastery of Bath. *Great seal*, nearly perfect.

1553-4, 21 Jan.—Will of Thomas Whyttyntone, of St. Brevell’s, “sycke in bodie, but whoole and perfyte in mynde and remembrance.” To be buried in the parish church. Legacies to his sons, Edward, Thomas, Guy, and Richard, and his daughters, Anne Pengree and Jane Phillpote. To Guy, moveables which were given to him by the testator’s wife Alice during her life, viz. a feather-bed, with four pairs of sheets of all sorts, four meat cloths, two towels, one of blue thread, the other plain, six table napkins, six new pewter platters, six pottingers, six pewter saucers, two crocks of brass, two pans of brass, one “possenet,” four silver spoons of the best sort, four candlesticks, one new carpet, a pair of andirons, one “broche,” one brandiron, the best chaffing-dish, a pewter basin, a salt-cellar, the great coffer, the casket, three “counterfet” dishes, and four cushions. Probate at Gloucester is attached, dated 20 Jan., 1557.

1555, 12 Oct., 2 and 3 Phil and Mar.—Assignment by William Waren, of St. Bryavell, gentleman, to Christopher Goodman, of the remaining term of a lease for 99 years granted by Richard

Glenham Hall. — Dorston, Abbot of the late Monastery of Grace Dieu, to Matthew Catchmaid, dated the Annunc. of our Lady, 1488, of all their land, &c., called Pater Noster, with the grange of Stowe, with land called Perocke, near the mill, and a croft called Whittmarsshe, *al.* Monkemersshe.

1500–1580, 16 Hen. VII.–23 Eliz.—Sixteen conveyances, leases, and bonds, chiefly relating to the property of the family of Taylor, in St. Briavel's.

1582, 4 July, 24 Eliz.—Release by Thomas James, of Bristol, merchant, to Joan ap Robert, widow, of all his right in the manor of Stowe.

1584, 6 July, 26 Eliz.—Similar release by George Goughe, of the parish of Hewelsfelde, gentleman, and his wife, Mary, one of the daughters and co-heiresses of Will. Warren, gentleman, deceased, to Joan ap Roberte, widow, another of the daughters of the said William, of all their right in a third part of the manor of Stowe-grange, Gomerislande, Longfelde, and Castlefelde, in the parishes of Newlande and St. Brevell.

1619, 14 May.—Bond from Richard Whyttington, of Newland, to John Gunnyng, of Bristol, merchant, in £20, for the fulfilment of covenant with regard to a messuage and garden, a meadow, and a "plecke" of ground in St. Brevell's.

1622, 22 May.—Bond from Sir Charles Gerard, of Sidbury, Middlesex, *knt.*, to Sir Richard Catchmay, of Briggs Weare, Glouc., *knt.*, in £800, for performance of covenants.

[Between 1624 and 1640 Alderman John Goning, of Bristol, acquired lands in Clourwall, Hewelsfield, &c., from the Taylors and Sir Baynham Throckmorton, for which there are various deeds.]

1657, 30 March.—Bond from Thomas Hathway, of St. Brevill's, labourer, to John Goning, of Bristol, *esq.*, in £20.

A narrow and long parchment roll, headed "Rentis pertaynyng to the Charter howse [*i.e.*, the Carthusian Priory] of Wytha[m] in An. Dom. 1 mcccc, xxxii]. D. H." The rent-roll of the property of the Priory in the city of Bristol. The streets and places named are, Austen's Bakk, Corne strete, The Heystrete, Seynt Nycholas strete, Balons strete, The brygge, Weste toker strete, Este toker strete, over Cownterslipp, over the waye, Tempull strete, Redeclyfe strete. The names of most of the tenants are marked with one, two, three or four red dots, which probably show what payments have been made for the year; some are without these dots, probably denoting arrears.

A small black leather box contains documents relating to the wardship of Margaret Harris, daughter of David Harris, apothecary, of the city of Bristol, deceased. Glemham Hall.

1. Return to the Court of Wards of the value of the messuages belonging to David Harris, in Bristol, who died 6 Dec. 29 Eliz. (1586), leaving as heiress his daughter, aged 3 years 7 months and 23 days, being one messuage in Wine Street, and one in Fisher's Lane, of the annual value of 13s. 4d.; dated 25 Sept., *an.* 41 (1599).

This is attached to—

2. Indenture of agreement for the Wardship, by George Snigge, of the Middle Temple, London, esq.; 16 Nov., 41 Eliz. (1599). Signed by Sir "Ro. Cecyll." *Engl.*
3. Letters patent granting the Wardship to George Snygge, 13 Nov., 42 Eliz. (1600). With the Great Seal perfect.
4. Assignment by George Snygge, of Bristol, esq., to Thomas Teisdale, of Glympton, Oxon, gent., 9 Feb., 42 Eliz. (1600).
5. Surrender by Sir Rob. Cecil, Master of the Court of Wards, and Richard Kyngesmylle, esq., Surveyor of the Wards, to William Benett, gent., on behalf of Marg. Harris, of the wardship on her attaining the full age of 16 years, 1 May, 41 Eliz. (1599); with renewed valuation attached; 3 May, 42 Eliz. (1600). Signed by Cecyll, and sealed with his seal of arms, and by Kyngesmylle, whose seal is lost.
6. Warrant from the Queen to the Eschaetor of Gloucestershire to give seisin to Marg. Harris; 24 Nov., 43 Eliz. (1600). Poor impression of Great Seal.
7. Two receipts for fine and quit-rent paid to the city of Bristol by Marg. Harris in 1601 and 1605, and account of payments for fees.

1560–1682.—A large parcel of records of the Manor Courts held for Stratford, Baynards, Glemham Magna and Parva, and other manors in Suffolk; imperfect and unarranged.

1636, 12 July, 12 Chas. I.—A long roll of eight sheets of parchment, containing a lease from the Crown to Sir Bayneham Throckmorton, of Clowrewall, bart., Sir Sackevile Crowe, of Laugherne, Carmarthenshire, bart., and John Taylor and John Goninge, the younger, of Bristol, merchants, of all the iron-works, furnaces and forges, with their buildings, in the forest of Deane, heretofore granted to William, Earl of Pembroke, deceased, and late in the occupation of Sir Bazill Brooke, knt., George Minne, esq., and Thomas Hacket, gent., with wood, quarries, &c., for the term of 21 years, paying for the first thirteen years an annual rent of £6,600, and afterwards £6,000 (but deducting from the first payment the sum of £3,125, which has been already paid beforehand), with other smaller payments for wood; with provisions regarding timber for shipping; 72 sections. Followed by an inventory of all the works and implements, taken by Charles Harbord, Surveyor-General, James Kirle and Charles Bridgeman, esqrs., 24–28 Sept., 1635.

Glemham
Hall.

1683, 16 July.—The original warrant from Sir George Treby, the Recorder of London, to the Sheriffs of London and Middlesex, for the execution of "William Russell, esq."

19 July.—The letter from the King modifying the mode of execution :

"Charles R. Charles the Second, by the grace of God King of England, Scotland, France and Ireland, Defender of the faith, &c., to our trusty and welbeloved Sir Dudley North, knt., and Peter Rich. Esqr., Sherifes of our citty of London and Sherif of our county of Middlesex, greeting. Whereas William Russell, Esqr., hath been indicted of high treason for compassing of our death and destruction, and tryed for the same before our Commissioners of Oyer and Terminer for our citty of London, and upon his tryal hath been found guilty, and by judgement standeth attainted of high treason, and for the same is to undergoe and suffer the paines and forfeiture of high treason, which by the lawes and customes of this Realme is to be drawn, hanged and quartered, and the said William Russell is to suffer death as aforesaid, and for the execution thereof you have already received a warrant from the Recorder of London, one of our said Commissioners of Oyer and Terminer, yet the body of the said William Russell now remaining in our prison of Newgate, and at our will and pleasure, and by the authority of our Power Royall to be executed in such order and forme as We think most convenient, and We minding the execution of justice, and to have the manner of this execution altered and changed for certaine considerations and causes us especially moving, and in respect the sayd William Russell is the eldest son of a Peer of this Realme, We will and command you our said Sheriffes of our said citty of London to take the body of the said William Russell, and forthwith to cause execution of him to be done and executed in manner and forme following, onely as hereafter is expressed (that is to say) forthwith to bring the said William Russell to a scaffold by you to be erected in some convenient place in great Lincolns-Inn-Fields, and the head of the sayd William Russell then and there forthwith upon the sayd scaffold at Lincolns-Inn-Fields aforesaid to cause to be cutt and stricken off and clearly sever'd from his body. And this execution to be on Saturday the one and twentieth day of July instant, any Judgement, Law, Warrant, or Commandement before time had or made ordained or given to the contrary notwithstanding, and faile yee not hereof, as you will answer at your perill. And these our Letters of Warrant signed with our Royall Hand, and under our Privy Signet shall be your sufficient warrant and discharge in that behalfe. Given at our Court at Whitehall the nineteenth day of July in the five and thirtieth year of our reigne.

"By his Majesties command.

"L. JENKINS."

21 July.—The King's warrant for delivery of the body of Lord Glemham
William Russell to his wife : Hall.

"Charles R. our will and pleasure is that the body of William Russell, Esqr., after that the execution is passt upon it in the manner that We have directed by our Warrant to you of the nineteenth instant, be by you delivered over to the Lady Russell his wife or other his relations to be privately interr'd; and for your so doing this shall be your Warrant. Given at our Court at Whitehall, the 21th (*sic*) day of July 1683 in the 35th year of our reigne. To our trusty and welbeloved Sir Dudley North, knt., and Peter Rich., Esqr., our sheriffes of our citty of London and Middx.

"By his Majesties command.

"L. JENKINS."

16 July.—Order of the Recorder of London, George Treby, to the Sheriffs for the execution of Thomas Walcott, John Rouse, and William Hone for high treason, as the sentence was pronounced, at the common place of execution on Friday next, the twentieth day of July, between the hours of eight and twelve in the forenoon.

In Roger North's *Life of Dudley North*, 1744, pp. 160-1, it is narrated how, after the accession of James II., a sum of money which remained in North's hands as Sheriff, from the fines for attending conventicles, was paid by him into the Exchequer, and a tally given him in discharge, and how after his death the production of this tally by his widow stopped a suit which had been commenced against her in the time of Will. III. for supposed arrears. This tally is now preserved at Glemham Hall.

A record of expenses in an uncontested election of Members of Parliament for Thetford in 1710 has some interest. It is headed, "An Account of Expenses at the Election of the Honble. Sir Thomas Hamper, Bart., and Dudley North, Esq., for Members of Parliament for the town of Thetford, Oct. 7, 1710.

			£	s.	d.
Twelve bearers	..	..	4	6	0
Musicians (4)	..	..	2	3	0
Ringers	..	..	2	3	0
Sword bearer	..	..	0	5	0
Mace bearer	..	..	0	5	0
Doorkeeper	..	..	0	5	0
8 barrels of beer at £1 10s.	..	..	12	0	0
Garland women	..	..	3	0	0
Strowers	..	..	2	3	0
Horse bill at Mr. Tyrrel's	..	..	0	2	10
Gave the Hostler	..	..	0	2	0
Mr. Tyrrel's bill for wine, bread and beer, &c.	..	..	4	12	0

				£	s.	d.
Glemham	To the poor	..	..	5	7	6
Hall.	Euston Strowers	..	..	1	1	6
---	Euston bells	..	..	0	10	0
				<hr/>		
				£38	5	10
A bill of Tyrrel's Sept. 27 1710				..	7	15 4
A bill from Mr. Batch Sept. 28 1710				..	8	11 4
				<hr/>		
				£54	12	6

The half is £27 6s. 3d."

To this half-share paid by each candidate is added a note of expenses shared amongst three in the following year in September :

	£	s.	d.
"The first day at the Christopher	2	9	8
The ringers then	1	1	6
The second day at the Christopher	9	18	0
The musick and ringers then ..	2	3	0
Six barrels of beer given ..	9	0	0
Pipes and tobacco given ..	0	6	0
<hr/>			
	£24	18	2

The share of each, being one third, is £8 6s. 0d."

A letter from Elihu Yale (from whom, on account of his liberal benefactions, Yale College in Connecticut took its name) to Dudley North, dated 3 May, 1720, is concerned only with private family affairs. A full-length portrait of him exists in Glemham Hall. Dudley North, esq., of Glemham, son of Sir Dudley North, third son of Dudley North the fourth baron North of Kirtling, married Catharine, daughter of Elihu Yale.

In the parish chest in the church of Glemham Magna the two following deeds are preserved:—

1387, 22 Feb., Friday in f. of Cath. S. Pet. 10 Rich. II. At Glemham Magna.—Grant from John Lacchecold of Ufford to Roger Reynald, of Perham, of the lands, etc., in Glemham Magna, which he acquired from Geoffrey Starlyng, of Gypwic, and John Hacun, chaplain, and which they acquired from Robert Haukere, chaplain.

1549, 7 Apr., 3 Edw. VI.—Power of attorney from John Alred, of Dysle, to give seisin to Will Hobard of the tenement in Butley, called Puntyngs.

W. D. MACRAY.

MUNIMENTS

OF

THE CORPORATION OF THE CITY OF SALISBURY.

THIS collection comprises :—

1. Letters patent of 30 Ed. III. (June 6, 1356) releasing the City of Salisbury from a fine of 3,000 marks ;
2. A parchment volume entitled *Domesday, Liber Tertius*, containing enrolments of wills proven and deeds witnessed in the court of the subdean of Sarum, 35–41 Ed. III. ;
3. “ Kalendar of all charters and other memoranda enrolled in the Book called *Domesday* in the City of Sarum from the 11th year of King Edward, son of King Edward, to the present day ” : *i.e.*, from 11 Edw. III. to 9 Hen. V. : ff. 36 : followed by a continuation of *Domesday* to 11 Hen. VI., ff. 132 : *parchment* ;
4. Many deeds of date subsequent to the reign of Ed. III. ;
5. Accounts of the Chamberlains of the City and other documents relating to civic affairs from the fifteenth century onwards ;
6. Copy of letters patent of 1 Ed. VI. confirming charters granted by his predecessors to the Bishop, Dean and Chapter of Sarum ;
7. Book of Presentments at the Court Baron of the Bishop of Sarum, 18–24 Eliz., ff. 140 ;
8. Pleas in the Court of the Bishop of Sarum, 43–44 Eliz., ff. 316 ; 2–4 Car. I., ff. 130 ; 4 Anne–4 Geo. I., ff. 169 ;
9. “ Statutorum Recognitorum apud Civitatem Nove Sarum Liber Tertius, 43 Eliz.–21 Jac. I. : Liber Quartus, 21 Jac. I.–35 Car. II. ” ;
10. Letters patent of 33 Eliz., constituting the weavers of the City a body corporate ;
11. “ Orders and Constitutions for the Companie of Butchers made and agreed on at the Common Councell of this Cittie of Newe Sarum by the Maior, Recorder and Commonaltie of the said Cittie, 26 March, 6 Jac. I. ” : *parchment, seal* ;
12. The like Orders and Constitutions for the Company of Glovers, 20 March, 1613 : *parchment*, much mutilated ;
13. The like Orders and Constitutions for other companies within the City (Merchants, Mercers, &c., Smiths, Armourers, &c., Joiners, Clothworkers, Bakers, Barber-Surgeons, Silkweavers, &c.) made 1612–13, revised 1675–6 ;
14. The City charters of 9 Jac. I., 6 Car. I., Cromwell, 1656 (*copy*), 27 Car. II., 6 Anne, and 6 Will. IV. ; and

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15. Besides the usual books dealing more specifically with civic business the *Legers* or Minute Books of the Town Council in regular sequence from the reign of Richard II., which alone call for detailed notice. Of the first *Leger* little, however, is legible before the reign of Hen. V., nor do any of the volumes shed quite as much light on public affairs as might have been anticipated in the records of so important a municipality as Salisbury, while after the accession of the House of Brunswick they become singularly uninteresting.

The *Domesday* and its continuation, which are on the whole in good preservation, are of considerable local interest.

LEGER A. I.

1398-9.—The Mayor, Aldermen, Citizens and Commoners of Salisbury to Richard II.:—"To the Most Excellent Majesty of our Most Dread Sovereign Lord King Richard since the conquest the second: We your humble and loyal lieges of body and heart of your City of Salisbury have, and each of us has, very well understood how your lieges of your realm have for the most part, as it doth behove them, in all obedience and humility sworn, promised and acknowledged under their seals, as well severally as generally, to keep all the statutes, ordinances and constitutions made, ordained and established in your honourable Parliament late holden at Westminster and continued at Shrewsbury, with all the judgments and ordinances delivered and made at Coventry by virtue and authority of the said Parliament, as we know right well is very plainly contained in their submissions, obediences, promises and acknowledgments. Whereupon we your abovesaid humble lieges, who desire and shall ever desire to do loyally in the measure of our power whatsoever shall in any wise give pleasure to Your Majesty, should be and are bound to keep the said statutes, ordinances and constitutions, with their dependences and all that may follow therefrom for us and our heirs and successors, without ever contravening or causing or suffering any person of any condition or estate whatsoever to contravene them on any wise, and should there be any (which God forbid!) that should attempt, or cause attempt, or be minded to attempt the contravention of them in whole or in part, we, and each of us, will do him hindrance, disturbance and impeachment for as much as our bodies and chattels are worth to live and to die, and so far as we may not be able so to hinder, disturb or impeach him, we will without the least delay denounce him to Your said Royal Majesty; and for the firm and loyal keeping hereof by us and by our heirs and successors for ever: We, Esmond Enefeld, Meir, &c., promise and make oath upon the holy Gospels, and each of us promises, makes faith and swears, and for greater security we set to these present letters our seals in witness of our and the City's deed." 22 Ric. II. *French. Copy.* f. 52.

1399, August 31. St. Albans.—The Duke of Lancaster to the Mayor and Commonalty of Salisbury:—"Dear and well-beloved we greet you heartily. Know that we have received your letters which you send us by honourable persons, William Hull and William Waltier, burgesses of your town, and have well seen the contents

thereof, for which we greatly thank you, and pray that you may ever continue in the same good disposition, knowing that, as it is your good will to be loyal and truly obedient to us, so it is our intention and firm purpose to be your good lord and friend, and to preserve your liberties and franchises just as you have enjoyed and used them in time past without the least let. Dear and well-beloved, our Lord have you in His holy keeping." *French. Copy. f. 52, verso.* City of Salisbury.

1408-1428.—Divers Ordinances and Constitutions made for behoof of the City in the times of divers Mayors, beginning with the time of Walter Shirle, in the 10th year of Henry IV.

"In the first place, in the time of Walter Shirle it was ordained that there should thenceforth be two Chamberlains to receive the debts owing to the City, and to pay, do and discharge debts owing by the City, repairs of houses and all other the like matters touching the City. And that there should be appointed them a comptroller. And thereupon there were elected Chamberlains John Beket and John Judde, and their comptroller Thomas Rode, who were bound to account yearly in the presence of the Mayor and other auditors assigned them.

"Item, at the same time there were presented to the King at Clarendon at the feast of the Nativity of Blessed Mary in the year aforesaid 2*l.* 13*s.* 4*d.*, and in the same year John Moner in full convocation of the citizens gave his tenement at Upper Fisherton Bridge, which John Crabilane held, for almshouses.

"Item, in the time of John Beket it was ordained that all the members of the xxiv should attend the mass to be said for a defunct member of the same on pain of 2*l.* of wax, unless they had reasonable cause of absence.

"Item, in the time of John Leuesham by mediation of the Bishop of Winton and Edward Duke of York the City lent King Henry V. 100*l.* in the second year of his reign as appears in the accounts of the said John.

"Item, in the time of William Waryn it was ordained that any freeholder, who, being summoned to attend a convocation, should make default, should be liable to a penalty of 6*d.* for every such default.

"Item, that folk bringing victuals into the City for sale should not sell them in inns or secret places or before broad day, but in places ordained for the purpose.

"Item, that horses bringing victuals or other commodities to the City should, as soon as they should be unladen, be led by their drivers or others to the inn beyond the market and common street, lest they should be the occasion of hurt or annoyance to passers by.

"Item, that victuallers, coming into the City with cheese, milk, grapes, plums, apples, pears, and other fruits, should be compelled for the future to keep to a place opposite the tenement of Richard Oword, now of John Gage, where the new cross is a building.

"Item, that the common trenches running through the City should thenceforth be kept clear of dung or aught else unseemly.

"Item, that secret possessions and feoffments should thenceforth be held null and void as contrary to the customs of the City.

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"Item, that stranger butchers should not be removed from the places appointed them by the Mayor without reasonable cause, and common and solemn convocation of the citizens and commons of the aforesaid City.

"Item, that all stranger victuallers, as well butchers as fishmongers, should be altogether separated in their stations from the victuallers of the City.

"Item, that no resident within the City should receive any grain exposed for sale in the market into his house after the ninth hour for storage on pain of $\frac{1}{2}$ mark, nor any fish or flesh under the like penalty.

"Item, that at every election as well of a mayor as of citizens for Parliament, every man—and by servants—should be free to nominate whom he would, so, however, that none should be chosen definitively on the nomination of any one person.

"Item, in the time of John Judde it was ordained that the Chamberlains and Collectors of Tallages and all other debtors to the City should be bound to account whenever required by the Mayor for the time being, who was appointed auditor with others, and that the said auditors for the time being in office should have a day every year, to wit, the feast of St. Luke, to certify the Mayor and Commonalty at the first convocation then ensuing as to the foot or fine of the account.

"And to John Chaundeler, Bishop of Sarum, there were presented on his installation 40 marks, which sum was borrowed of certain persons and repaid them, as appears in the time of the said John Judde, in the fifth year of King Henry V.

"Item, in the time of John Salesbury, Mayor in the seventeenth year of King Richard II., it was ordained that King Henry IV. should have 100 marks and two cups of silver gilt, and the Queen 50 marks, and likewise Robert Halom, Bishop of Sarum, 20*l.* to be levied and collected of the whole City.

"Item, in the time of Robert Poynant, in the sixth year of King Henry V., it was ordained that keepers of pigs, geese or ducks should not suffer them to go out of their houses.

"Item, in the time of Robert Warmwell, Mayor in the eighth year of King Henry V., it was decreed that no writing should thenceforth be sealed with the seal of the Mayor, unless it were done by the clerk of the City deputed for the purpose.

"Item, in the time of Henry Man it was ordained that the Mayor for the time being should for recompense of all the expenses and charges of his mayoralty be content with the sum of 10*l.* payable in manner underwritten, to wit, one moiety at Easter by the hands of the Chamberlains and the other moiety at the end of the year: provided that, if he should die after Easter and before the end of the year, then the said moiety should remain in the hands of the Chamberlains to the use of the City, saving the minstrels of the City, who were to have their livery at the costs of the City. And that the chaplain of St. George's, to wit, Edward ———, should be at the table of the Mayor for the time being, with an annual fee of 8 marks, whereof the Mayor should receive for his table 5*s.* 4*d.*; and that he should be attendant on every mayor. And that,

if the King, or any other secular lord or prelate, should come to the City, nothing should be given him save by order of the convocation of the citizens of the City. City of Salisbury.

“Item, in the time of Walter Waryn, Mayor, it was ordained that butchers should not slaughter their beasts in front of the Butcher Row in the common street, but in the rear.

“Item, that they should not melt their — by day but by night, and that they should not carry about the foul parts or intestines of their beasts by day, but by night.

“Item, that poulterers, and all other victuallers should sell all that they bring for sale into the City in the common market and not in an inn, and specially rabbitsellers, and not by night, but by day.

“Item, that if the Chaplain of St. George’s should fall ill, the Mayor for the time being should pay him, for every week of his confinement to bed, 12*d*.

“Item, in the time of John Bromle, Mayor, in the sixth year of King Henry VI., it was ordained that stranger fishermen should be separated from the fishermen of the City as above. And that stranger fishermen should have their stations on the common trench behind the stations of the fishermen of the City.

“Item, that the possessors of all beasts exposed for sale should have their place at Bernewelleros and Colverstret for the vending of them.

“Item, that whoever had been mayor of Salisbury should be quit of that office of mayoralty for five years after serving the same. 10 Hen. IV.—6 Hen. VI. *Latin.* ff. 147, *dorso*, 148.

1415.—“Be it known that our Lord the King of England, Henry V., passed with his great army oversea toward Harflet, and made the said port on the vigil of the Assumption of Blessed Mary in the third year of his reign, and laid siege to the town with the Duke of York, the Duke of Clarence, the Duke of Gloucester and divers others, earls, barons and lords. And afterwards, on the 22nd day of September, to wit, Sunday, the morrow of St. Matthew the Apostle and Evangelist, in the year aforesaid, the said town surrendered, and so the said King doughtily got it. The town thus gotten, he took order for its safekeeping, appointing the Earl of Dorset captain thereof, which done the King himself with his said army withdrew towards Calais by reason of the grievous pestilence that was prevalent at Harflet. And while he was thus on the march a great French host, some 100,000 strong, offered him battle, he having with him no more than 10,000. Which two said armies doughtily joined battle, and therein were slain of the French on the field of Argencort on Friday, the feast of Saints Crispin and Crispinian, to wit, the 25th day of October in the year of our Lord MCCCXV., and the third year of the said King Henry V.: to wit, the Lord de Brut, Constable of France, the Duke de Launson, the Duke de Bare, the Duke de Braban, the Count de Nywere, the Count de Russe, the Count de Breus, the Count de Saumes, the Count de Grauntpre, Monsr. Dampiere, Monsr. Baustemond, Monsr. Phelippe Daucy, Bailiff Damense, Monsieur Damerey, Monsr. Robert Frete, Monsr. Darmaville, Monsr. Daquovile, Monsr. Gray,

City of
Salisbury.

Monsr. Waryn, Monsr. Graymeram', Monsr. Seneschal de Haynam, Monsr. de Mongaugre, Monsr. Coursy, Monsr. Goudard de Renut, Johan Gordyn, Monsr. Boremys, Monsr. Symond de Faignewell, Monsr. de Graves, Monsr. Robert de Montagu, Monsr. de Quenes, Monsr. Damchy, Monsr. Gyon de Harbaines, Monsr. Johan de Gret, Monsr. de Soell, Monsr. Gaugiers de Dolphin, Monsr. de Monteygne, Monsr. de Vaysay, son fitz, Monsr. Roionnt Daynecourt, Monsr. Mayhew de Humers, Phelippe de Sossens, Monsr. Girard de Rubympre, Monsr. de Poys, Monsr. Launselet de Clare, Monsr. Robert de Waren, Monsr. de Hamede, Monsr. de Crekes, Monsr. de Merohin, Monsr. Roger de Pois, Monsr. Tremes et son frere, Monsr. de Noiell, Monsr. Antony de Crave, Monsr. Collard de Cossewes, Monsr. Denyn le Burgoine, Monsr. de Bauford, Pere Bonefant, Johan Sempy, Porren de Prees, Monsr. de Brayme, Monsr. Roland de Grotus, Monsr. Phelippe de Lenc, Monsr. Gilaw de Trie, Monsr. Seint Clere, Monsr. Johan de Poys, Monsr. Jakes de Courtyamble, Johan de Werdyn Saylond,* Buran de Geremys, Monsr. de Caveny, Monsr. Alert de Somage, Monsr. Collard de Fraymys, Monsr. Gaynoc de Borneville, Monsr. Raynold de Flaundes, Monsr. Vaudan de la Mys, Monsr. Johan Garamys, Robert le Savage, Monsr. Dacy Monsr. Dency, Monsr. de Calenche Fortescu, Johan de Lysle, Ducat Dauney, Monsr. Deo, Monsr. Johan de Beamond, Monsr. Johan de Mondeux, Monsr. Johan Drux, Monsr. Charl de Chastaile, Monsr. Phelippe Leukuk, son frere, Johan Gueryn, Monsr. Johan de Colevyle, Monsr. de Bremle, Monsr. Giliam de Gravile, Monsr. de Haly Lercevesque de Soyns, and 4,000 valiant knights and squires without counting the rest. And in like manner were taken prisoners of our Lord the King the Duke Dorliaunce, the Duke de Burbon, the Marshal of France, called Bursegaud, the Count de Rychemond, the Count de Verdon,† the Count de We, and the brother of the Duke de Launson, and other gentlemen. And on the side of our Lord the King there were slain the Duke of York, the young Earl of Southfolk, and of lords no more, but of their varlets about fifteen. Thus on that day did our Lord the King overcome all his enemies, giving thanks to the most High God, and His mother the Virgin Mary, and St. George and all the saints of God. And being come with his army to Calais, he there rested and refreshed himself, and sent whom he would of his said army to England there to refresh themselves. After which rest our said Lord the King, being cumbered with divers affairs of his realm, returned to England, making Dover on Saturday, the feast of Pope St. Clement, to wit, the 23rd day of November in the third year of his reign, bringing with him the said French lords his prisoners and captives. And as he approached London he was met by an immense multitude of folk of that city clad in red garments with white capuches, who attended him on either hand into the city on the following Saturday, to wit, the last day of the said month, being the feast of St. Andrew. And so great was the multitude as well of men as of women that stood in the streets from the corner by St. George's church in Southwark

* Sic : corrupt, for Werchin, Seneschal d'Hainault.

† Sic : corrupt, for Vendosme.

as far as Westminster, that starting at ten o'clock the King with the said lords his captives was scarce able to reach Westminster by the third hour after noon, which delay was also in part occasioned by the presentation to him of divers ordinances and gifts by the said city upon his arrival. A great victory: glory to God in the highest." 3 Hen. V. *Latin and French.* f. 55. City of Salisbury.

1423, November 19. Westminster.—Writ annulling the election of John Beccles to the office of alderman on the ground that he is a clerk in holy orders. 2 Hen. VI. *Latin.* f. 85, *dorso.*

1435-6, Feb.—May.—“There ben certayn tydynge that we have by special frendes, and en special, how that on Fryday viii day of — the Duyk of Burgayne with his hounse counsel was at Gaund, and ther was assembled togedre the Quatre Membris* and al the Councel of the mene landis, desiryng of thaym to have a notable power of men and monaye to bisege the town of Calys. Wheruppon they aunsuerid agayn that, if he wolde graunte them fyve poyntes selid under his gret seal as they folwe hereafter in articles, they wolde be redy to performe his desir.

“The first article, that his mynte that now ys in the land of Flandres shal nat be chaungid wythinne the terme of xx yere, etc.

“The seconde, that non Englishman shal be suffred to selle non English cloth at non market withinne the lordshipes of the seid Duyk.

“The thridde, that the Carcelliers,† the whiche risen ayens the Duyk iiij yer passid, that were distrussed by trete of the seid Duyk and his officers, shullen be restored ayen to alle here godes that they loste, and they to take it ayen of the persones that toke hit from thaym withoute sute of parties.

“The fourth, that non maner of officers as capitaynes, baillifs, resseyvours, secretaries, ne other officer, shal be maad wythinne the lond, save such as that natif born wythinne the same.

“The fyfthe, that the townes of Flaundes have the wollys of Calys departid among them withoute letting of hym or his officers, yf they mowe gete thaym.

“And so forthwyth the Duyk with his counseil grauntid hem the same articles after their entent.

“Whereupon the town of Gaund have graunted hym XV Mⁱ men, and other townes of Flaunders XV Mⁱ, and beth redy at alle oures at his comaundement, wythoute Hollanders, Zelanders, Brabanders, Ghelders, Hanawders that ben apoyntid unto the same nombre, —whyche amounteth in al lx Mⁱ men. And also there ys redy at ye Schuse, Barflete and Roterdame iiij^c shippes of forstage wythoute other smal shipes stuffid with the most straunge ordnaunce and alle other abilemens of werre that ever any man herde tell of. And they ben fully concludid, apointid and acorded sodenly to come and bisege the town, the whyche is ryght feble arraied and ordeinyd, fore that God amende, help and preserve for His gret pitte.

* Cf. Pirenne, *Histoire de Belgique*, ii. 70, 81, 102, 105, 333.

† The people of Cassel. Cf. *Chroniques relatives à L'Histoire de la Belgique sous la domination des Ducs de Bourgogne* (Kervyn de Lettenhove. Acad. Royale de Belgique) i. 216.

City of
Salisbury. "And upon this the Kyng sendeth iij pryve selis to the Maire of Sarisbury, as they followye hereafter.

By the King.

"Dear and well-beloved:—For certain very great and very weighty matters whereby We and our Council are especially moved, and which concern the weal of you and other our faithful lieges, it is our will, and with the advice and assent of our said Council We bid and strictly enjoin you, that, pretermittig all other affairs, and making none excuse, you, Mayor, be in proper person before Us and our Council at our Palace of Westminster on the quindene of Easter next ensuing . . . there to hear that which by our Council aforesaid shall be shewn and declared to you. And this you are to neglect on no wise, as you desire the happy issue of the abovesaid matters. Given under our privy seal at Westminster, the fourteenth day of February.

"To our dear and well-beloved the Mayor and other good folk of our City of Salisbury."

By the King.

"Dear and well-beloved:—Since for the despatch of the army which with the help of our Blessed Creator we purpose to send under conduct of our very dear and beloved cousin the Duke of York, and other lords of our blood and lineage, in the month of April next ensuing, towards our realm of France, there to put a speedy end to our wars, needs must We be furnished with all speed with a notable sum of money for our said army by way of loan, so, as most We may, We pray you that for the speeding of this our army you be pleased to make the best haste you well can in aiding Us for this time by way of loan with the sum of three hundred marks, and send Us that sum by one in whom you trust and deliver it to our Treasurer of England at our charges between this and the first day of April next ensuing, of which sum our Treasurer shall give you in our name good and sufficient surety of repayment out of the moneys arising from the fifteenth granted to Us in our last Parliament by the commons of this our realm according to the effect and content of an Act for the loan of money to Us in the same Parliament made. And be pleased to take this matter very nearly to heart, so as not to fail Us in this our great need, as you desire the honour and weal of Us and the final salvation of our realms. Given under our privy seal at Westminster, the fourteenth day of February.

"To our dear and well-beloved the Mayor and Commonalty of our City of Salisbury."

By the King.

"Trusty and welbilovyd:—We ben ful acertid that he that calleth hym Duc of Burgeyne disposyth hym wythinne ryht hasti tyme on this side Estre nyxt to lay assege to oure toun of Caley and other places of oures on the marches there, and to that entent he and his counsell have doo alle the labour, payne and diligence possible to them to gete thereto th'assent of Quatre Membres of Flaundes, Brabanciers, Hanauders, Pycarders, and of alle other that he calleth his subjects the whiche ben condecendid to his desires, in so moche that, over the grete and notable summes of goud that they have graunted hym, thereto thay have also agreed hem to ordeyne hym

thereto many thousands of men, and of shippes at their charge, City of Salisbury.
as ye may in partie be lernyd by th'articles of th'appoyntement
maad bytuyxte the seid calling hym Duc and the forseid Quatre
Membres of Flaundres, of the whiche We sende yow a copie closid
withinne these, as yt maketh^m mencoñ in the forseid v articles.
How grut a gywel the seid towne and marches ys to Us and to oure
land, how gret, ma[n]lyfold and inportable griefs and hurtis and
harmes that the seid toun and marches dede and baar dayly to
this land, whiles yt was in th'enemyes handes, and sibly were
lyk to doo and also to caste this land oute of alle reputacion into
perpetual reprofte, vylonye and shame thorwgh the wordil, yf so
falle, as with oure Lord mercy it never shal falle, that yt were
geten with oure enemyes for lac of covenable defens in tyme :
how longe tyme also oure noble progenitour Kyng Edward for
the goud of his reaume wyth grut puyssaunce lay at sege at the
seid towne to grete cost to his seid reaume or yt was gytyne, the grete
good that sithen hav falle thereby to our other progenitours, Kynges
of this sayd oure reaume, to Us and alle oure sugectis of the same,
ys not unknowen. And how be hit that We by th'avys of oure leal
uncle of Gloucester, capitayn of the said towne and places, and
the most reverent Fader in God, our grete uncle that Cardynel,*
and other of oure Counsel, have notable purveyd for the defense and
kepyng of hem, as well in sufficiance of nombre of men and in
stuff of vitaille, artillerie and alle manere abillemens of werre as
otherwyse, and neverthesse We consider well that yt were not
according to oure worship to suffre the seid sege to be continued
eny longe tyme ; and to lete our trwe sugects, beyng withynne
the sayd towne and places, to stand long so distressed by sege
wythouten socour. And over this We consider the peril that
mygte enswe of lenge suffrance of the seid sege, whereby, having
regard to the gret ordnaunce that the seid callinge hym Duc of
Burgeyne and the Quatre Membres of Flaundres and others have
disposed therefore, as well of grete gounes, and that in grete
nombre, as of engynes and alle other ymaginations of werre, in so
myche as We be lerned there ne have not be seen so gret an ordenaunce
disposed for any sege in oure dayes, for the whiche oure
sugectis, beinge in the seid toun and places, be lyke to be gretly
travayled and vexed ; and with this We forse alle the gret dis-
coragynge and discomfort that mygte growe to oure trwe sugectis,
beyng withinne the seid towne and places, if We suffre them any
longer tyme to enduyre the importable laboures, peynes, daungers
and peril of the seid sege, and for so moche We write to yow
exortynge and praynge yow as hertly as We can that ye wal tenderly
consider and take to herte the thynges afore rehersed, and that
soon after the resseyvinge of these ye do alle the diligence that ye
can and may to sende as many persones defensables and habiles
for the werre as yn any wyse ye goodly may, so that they may
withinne viij dayes after oure warnynge that shal be maad therupon,
withoute lenger delay or tarieng, be redy to take their way toward
Us, or to suche place as We shal apoint, to the entente to rere the

* Beaufort.

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said sege, and yeve socurs to oure said toun and places, so that for lak of spedy socours none inconveniencie enswe, and that wythinne viij dayes after the resevyng of these oure lettres ye certefie our sherefe of the shire that ye dwelle inne of the nombre of persones that ye wol sende to Us, to the ende that he may wythoute delay certefie Us of the same. Yeven under oure prive seal at Westminster, the xxvj day of March.

“Maiori, Ballivis et inhabitantibus Civitatis nostre Sarum.”

In compliance with this writ Salisbury duly raised, equipped and placed at the King's service a company of twelve “defensable and habile men.” 14 Hen. VI., Friday next after St. Epiphanius' day. *English and French.* ff. 104, *dorso*, 105.

LEGER B II.

1438-9.—Rental of the City as appearing by the Chamberlains' Accounts—Michaelmas 17 Hen. VI. to Michaelmas 18 Hen. VI. : “They render account of no arrears : And of 17l. 6s. 8d., rent of the hostelry called George's yn, which John Byshampton holds, payable at the four principal terms of the year, beginning with the feast of the Annunciation of Blessed Mary, by indenture. And of 4l. 13s. 4d. rent of the hostelry called Pynnokke's yn, which Stephen Hendy holds, payable at the same terms. And of 20s., rent of the shop which Thomas Barbour holds, payable at the same terms. And of 66s. 8d., rent of a tenement formerly of John Ineler which Thomas Yoxford holds, payable at the same terms. And of 26s. 8d., rent of a tenement which Richard Sadiler holds, payable at the same terms. And of 60s., rent of a tenement which John Boner holds at the upper bridge of Fysherton Brygge, payable at the same terms. And of 4l., rent of a tenement beside the Cemetery of St. Thomas. And of 6s. 8d., rent of a chamber which John Houchyn, chaplain, holds, payable at the same terms. And of 5s., rent of a chamber which Edward Hynde holds, payable at the same terms. And of 5s., rent of a chamber which Nicholas Chelcote assigned to Thomas Portour, sherman (?), payable at the same terms. And of 13s. 4d., rent of a tenement which John Helier, webbe, holds, payable at the same terms. And of 40s., rent of a tenement which Richard Wyse holds opposite the market, payable at the same terms. And of 10s., rent of a tenement which John Gate, smyth, holds, payable at the same terms. And of 26s. 8d., rent of a tenement which Thomas Foul holds in Wynchestrestret, payable at the same terms. And of 10s., rent of a tenement which Laurence Strete holds towards St. Edmund's Church. And of 10s., rent of a tenement which Nicholas Steor holds in the same place, payable at the same terms. And of 5s., rent of a tenement which Agnes Franlayn holds, payable at the same terms. And of 8s., rent of a tenement which Richard Cook, daubre, holds, payable at the same terms. And of 8s., rent of a tenement which Edward, laborer, holds in the same place, payable at the same terms. And of 8s., rent of a tenement which Nicholas Pacnot holds in the same place. And of 8s., rent of a tenement which Oliver, tailour, holds in the same place. And of 2s., rent of a cottage which Agnes Baillif holds in the same place. And of 13s. 4d., rent of a tenement which Thomas Pymperne holds.

And of 13s. 4d., rent of a tenement which the said Thomas holds in Rolveston. And of 13s. 4d., rent of a tenement late of William Warmwell in Brounstret. And of 46s. 8d., rent of a tenement which John Wheler holds. And of 6s. 8d., rent of a tenement which Richard Gudrule holds. And of 20s., rent of a tenement which John Wyly holds. And of 5s., rent of a tenement which Matill' Egis lately held. And of 2s. 8d., [rent] of the tenement of John Bawhit. And of 2s. 8d. for the cottage of John Wilkolterys. And of 4s., rent of a cottage of Henry Wilteshir. And of 4s., rent of a cottage of the said Henry beside the gate of John Wheler. And of 5s., rent of a chamber which "Dominus" William Ireton holds. And of 10s., rent of the chamber of the parish chaplain. And of 2s., rent of a garden next the Cemetery of St. Thomas' Church. And of 10s., rent of the chamber of Edith Hende. Sum, 54l. 3s. 8d." 17-18 Hen. VI. *Latin.* f. 185, *dorso*.*

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LEGER A. I.

1452, August 25.—"The Kyng comaundith that all manere labouring men that holde not londe and tenementes, the whiche suffysith to the occupacion of half a plowe londe, go into service, and that stewardes of frauncheses and constables putte alle suche manere men in service at the request of suche men as wal have ther service accordyng to the statutes thereof made upon the peyne conteyned in the same statutes; the whiche is 10l. upon the constable for every defaute; and that alle manere artyficers goo too ther crafte upon the peyne contenyd in the statutes thereof made; and that alle stewardes of fraunchesse, meyres, constables, bayles, and tythingmen of cytes, burghes, hundreds and townes within the shire of Wiltes areste or doo areste alle manere vagraunts, vacabunds and beggers begging oute of the hundred wheras they duelle withoute the Kyng's auctorite or warante according to the statute thereof made; and that they kepe them in warde unto the tyme they have founde suerte of ther gode beringe; and yf they fynde not suche suerte, that they sende them to gayle, there to abyde accordyng to the statute thereof made; and that none of the Kyng's liegemen yeve no beggars begging oute of the hundred that they duelle in none good withoute they have sufficiiaunt warente by the Kyng's auctoryte, or accordyng to the statutes thereupon made, upon peyne contenyng (*sic*) in the seid statutes; and that alle manere labourers and servaunts take suche wages as is ordeyned by the statute; and that alle constables make the due sessions of the pees, holdyng iiij tymes by yere accordyng to the statutes; and that they bringe in ther certeficates atte the sessions of the pees holding within the seide shire; yf ony man fynde hym grevyd upon the seid officers because they doo not duly the execucyon of the premisses or of any of them, that he come to the Justices of the pees of the seid shire sytting in the sessions and compleyne hym thereof, and they shal doo hym remedy accordyng to the statutes." 30 Hen. VI. f. 159, *dorso*.

* The state of this minute precluded complete certitude in transcription.

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LEGER B. II.

1455, November 30. Westminster.—Writ annulling the election of Robert, Prior of Ivechirche, to the office of alderman on the ground that he is a clerk in holy orders, and superseding all process to compel him to assume the said office. *Latin.* f. 20, *dorso*.

"We, John Wyly, Mayor of the City of New Sarum, Edward Ayssheley, Esq., Richard Marshall and John Aysshford, Aldermen of the said City, and the Commonalty of the same, certify our Lord the King in his Chancery that the said City was in old time the ancient borough of the Bishop of Sarum, and that from time immemorial, and that all men having freeholds there all the said time held them of the Bishop of Sarum by certain services, and by the service of being aldermen, provosts or serjeants-at-mace to the said Bishop by election thereto by the Mayor and Commonalty of the said borough yearly on All Souls' day, the custom in the borough being all the said time that the burgesses of the said borough should choose the said officers, to wit, the mayor, aldermen provosts and serjeants-at-mace, yearly on All Souls' day from such as held free tenements of the Bishop of Sarum, and should present them to the Seneschal of the Bishop for the time being at his next Court of View of Frankpledge, which officers so elected might not be relieved of their office by the said burgesses, but only by the said Bishop of Sarum for the time being; which custom the citizens of the said City have had, holden and enjoyed ever since the foundation of the said City. And whereas the Prior of Ivechirche named in the writ tacked hereto was and is seised of two messuages with appurtenances in the said City in demesne as of fee and right of his said church, which he held of Richard, now Bishop of Sarum, by fealty, and rent of 12*d.*, payable yearly at the feasts of St. Martin in winter and Hokeday after the feast of Easter, and by service of being alderman or provost of the said City, filling the said office either by himself or by his deputy, and held a freehold of the said Bishop, he, according to the custom of the said City, and by reason of his tenure, was there by the Mayor and Commonalty of the City on All Souls' day last past elected to the office of alderman in the said City to fill the same by himself or his deputy, and by the said Mayor and Commonalty was presented to Henry Long, Seneschal of the said Bishop, at the Court of View of Frankpledge held in the said City on the Wednesday next after the feast of St. Martin in winter next following All Souls' day aforesaid, and was admitted. And furthermore we certify the King that we have levied no moneys or amercements of the said Prior in respect of the assumption and exercise of the said office upon occasion of the said election. And we also certify our said Lord the King that none other writ but that tacked hereto for superseding all manner of distrainment and constraint of the said Prior to cause him assume and fill the said office has ever been delivered to us." 34 Hen. VI. *Latin.* f. 21.

"Memorandum, that Robert Franke, Priore of Yve Chyrche was chosyn and electe aldremen of the Mede withyn the Cite of Sarum on Alsowlen day the yere of the regne of Kyng Henry the Sixte after the Conqueste xxxiiij, and to that office so chosyn was presented

with John Wyly, for that yere Meire, and other officers in the Courte of Sarum, after the olde constitution, byfore Henry Longe, Steward of Richard Beauchamp, then Bysshop of Sarum; whiche office of aldreman the seid Priour nolde in no wyse do ne observe, but labored dyvers tymes withyn that yere iij writtes of dyscharge ayenste the Meyre and Communes of Sarum of the Kynge's Chauncery, by the meanes wherof he hoped to have ben discharged of the seid office. Natwithstendyng he was dayly amersed grevously in the seid Courte, because wherof withyn the seid yere the seid Prioure resnyed his seid office to one Robert Stokys, a chanon of Suthwyke, and wan he was stalled and occupied as Prior, he submytted hym to the seid Bysshop to do and fulfyll all constytucions and ordynances as his olde predecessores hath done afore hym." *ib.*

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The Oath of the Twenty-Four.—"Ye shalbe good and trewe unto oure Soverayne Lord the Kynge and his heyres, Kynges of England, and to the Mayralte and Commonalte of the Cite of Newe Sarum, the Commone Counsayll and Assemble of the Mayre or his Depute of the said Cite by resonable sommonz ye shall come; the counseyll and secretes of the same ye shall kepe; and to the Mayre for the tyme beyng and your senious be obedient. The profites and wele of the Commonalte ye shall by your power awayte and approve, all charges and taxes for the wele of the Commonalte sette or to be sette on you by your pères by lawfull assemble ye shall supporte and bere to your power; all good rules and ordinaunces for the commune wele of the said Mayralte and Commonalte before this tyme ordeyned, and hereafter by your tyme to be ordeyned, ye shall observe, kepe and supporte with your body and goodes; to no confedresies or congregacions other than of the Mayre of the seid Cite or his depute ye shall come, ne none such ye shall concente to be made or done, but all such confedresies and congregacions ye shull disturb and let by your power. Moreover atte suche season and tyme as yt shalbe leyed unto you by the Mayre and Citeseins to be chosen Mayre of this Cite ye shall nat refuse it, but take it upon you, and in no wyse to absent your self out of this Cite by no manere of colour. So help you God and holidome, and by this boke." f. 22, *dorso*.

Gift of Robert Warmeli.

"Be it had in mynde that Robert Warmell, draper, yave and bequeathe in his testament to the Meyre and Comunalte of Sarum *xxl.*; whiche *xxl.* was delywerd and payed by the hendes of John Wyly, executour of the seid Robert, by the advyse, wyll and consente of William Knollys, than Meyre of Sarum, and all other of his brethern of the seid Cite of Sarum, and the Comunalte of the same, to the makynge of the barres abowte the seid Cite for the grete defence, safeguard and strenth of the seid Cite in tyme comyng." f. 23.

1460-1, January 28. London.—Copy of writ of privy seal of this date commanding a levy for the defence of the realm: followed by lists of the men raised and the contributories to their maintenance. 39 Hen. VI. *English and Latin.* ff. 45, *dorso*, 47.

City of
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1461, August 17.—All persons, being within the City of Salisbury, to provide themselves with gowns of a dark green hue with black felts by Thursday next after the feast of St. Bartholomew next ensuing on pain of 6s. 8d. This by reason of the approaching visit of King Edward IV., to whom a golden cup, value 10*l.*, and 20*l.* in coin are to be presented in the name of the Mayor and Commonalty of the City. Monday next after the Assumption of the Blessed Virgin Mary. 1 Ed. IV. f. 52, *dorso*.

1462, July 13.—“Thes ben the names of the Citezens that hath graunted to the mannyng and vitaylyng of the Shyppe callede the Trinite of Lymmyngton, purposed to the see in the felyshyp of my Lorde of Kent, my Lorde Audeley, and other nowe atte this present viage, the 13 day of Jule, 2^{de} yere of the regne of Kynge Edward the Fourth.”

A long list of contributories follows with their contributions amounting in the whole to 20*l.* 14s. 2 Ed. IV. f. 56.

1462-3, February 13.—“The names of the Citizens of the number of the xxiiij and the names of the ‘Concitzens’ (*conciivium*) of the number of the xlviiij, being within the City of New Sarum in the time of the mayoralty of John Wyse, draper, to wit, the first year of King Edward IV. and the second year of the said King, as below appears, who lent and gave to the said King upon occasion of divers urgent affairs which concerned his realm by the hands of the said Mayor.”

List of fifteen Citizens with their contributions amounting in the whole to 9*l.* 10s.

List of thirty Concitzens with their contributions amounting in the whole to 54*l.* 6s. 8d.

Another list of contributories to the victualling of the Trinite with their contributions amounting in the whole to 34*l.* 17s. 4d. 2 Ed. IV. *Latin*. ff. 61-62, *dorso*.

1463, June 20. Northampton.—Copy of writ under the signet of this date commanding a levy for the succour of the Earl of Warwick against the Scots. Forty men are raised, and placed under the command of Henry Swayne, for two months’ service. They are to be at Doncaster on 10 August. 3 Ed. IV. *Latin and English*. f. 65.

1463, August 15. Fodringhey.—Copy of similar writ of this date. Twenty-four men are raised. 3 Ed. IV. *Latin and English*. f. 66.

1464, August 27.—“Ordinance of the Venerable Father, Richard Lord Bishop of Sarum, and the Mayor and certain Concitzens of New Sarum, touching the quality and price of ale and beer brewed within the said City. First, every brewer is to make a good wholesome brew of sufficient strength, and every flagon of the better ale is to be sold for 1*d.*, and of the second ale three flagons shall sell for 1*d.*, until a new assise be ordained by the officers, and thirteen

flagons of the better ale shall sell as a dozen, and six flagons of the said ale with a pottle shall sell as a half-dozen, and likewise of the second ale according to its price. Item, there are to be four tasters, to wit, one for each ward, to taste and assay the ale brewed from time to time in their several wards within the house of every innkeeper when the ale shall be in a certain vessel called the kyse, as well in respect of its soundness as of its strength and flavour: and if by them or any of them it shall be found defective in point of brew, to wit, in soundness or strength or flavour, forthwith within twenty-four hours they shall be bound to bestir themselves and present the defect or defects found by them or him to the Mayor, Seneschal and bailiff or two of them . . . to the effect that the tavern in which the said ale was found be forfeited to the Lord Bishop without fine and redemption. And every innkeeper aforesaid shall carry or cause to be carried his ale to his customers and other men without taking any portage therefor, provided the ale exceed not four flagons, and in case any innkeeper being so required by the Mayor or his deputy, shall refuse to do his office, he shall be excluded *ipso facto* from brewing, and be compelled by the Mayor, Seneschal or bailiff to make oath not to brew within the said City for a certain time to be by them or one of them limited. And furthermore it is ordained and agreed that every innkeeper who shall be found culpable and in default in respect of his brewing and by the Mayor, Seneschal or bailiff or one of them shall be so convict, shall for the first offence be in grave mercy, for the second offence in graver mercy, for the third offence shall be punished with imprisonment of the body at the discretion of the Lord Bishop, if he be present, and if he be absent, at the discretion of the Mayor, Seneschal or bailiff, if they be present, and otherwise at the discretion of the Mayor; and for the fourth offence he shall suffer the penalty of the tumbril on the first or second market day next after the defect was discovered." 4 Ed. IV., Monday next after the feast of St. Bartholomew. *Latin.* f. 71.

1465, April, 5.—"It is agreed that as to the toft in the cemetery of St. Thomas the Martyr, whereof William Swayne had lately seisin from the Bishop of Sarum, the Mayor and Commonalty intervene not touching the right and title to the said toft this side of the quindene of Easter next after this convocation, but that after the said quindene the said Mayor and Commonalty enter in right, title and possession of the said toft, and safeguard title and possession thereof until the question be determined by the law of the land. But all the goods and chattels being in the said toft before the day of the convocation aforesaid are to remain in arrest and in safe and sure keeping by warrant of the Mayor of the City until the said William Swayne shall make amend for his trespass done upon the said toft." 5 Ed. IV., Friday before Palm Sunday. *Latin.* f. 74, *dorso*.

1465, August 22. Westminster.—Copy of writ of this date under the signet, commanding the election of a new mayor in place of

City of John Halle removed from office and committed to prison in consequence of a variance between him and the Bishop of Sarum. 5 Ed. IV. f. 76, *dorso*.

1465, September 24. Westminster.—Copy of writ repeating the said command, or in default summoning twelve or eight of the citizens to Westminster to exculpate themselves and their fellows. 5 Ed. IV. *Ib*.

1465, October 5.—Copy of letter of this date from William Wotton, deputy mayor, and others, craving audience of the King in council. 5 Ed. IV., Saturday next after Michaelmas. f. 77.

1465, October 21. Westminster.—Copy of writ of this date under the privy seal commanding four or six persons to be sent to Westminster with full power to determine on the part of the City all matters in dispute between the Mayor and the Bishop. 5 Ed. IV. f. 77, *dorso*.]

1465, October 28.—“Agreed that a letter of attorney be made under the common seal to John Halle and five others to appear before the King in council on November 6 next ensuing, to determine on the part of the City all matters in dispute between the Bishop and the said City.” 5 Ed. IV., Feast of the Apostles Simon and Jude. *Latin*. f. 78.

1465, November 14. Westminster.—Copy of writ of this date under the privy seal requiring the letter of attorney to be amended by the substitution of another name for that of John Halle on the ground that he is not at large.

The name of John Chafyn is accordingly substituted for that of John Halle in the letter of attorney. 5 Ed. IV. *English and Latin*. f. 78, *dorso*.

1466, July 25.—Every citizen is to provide himself with a green gown and a felt in anticipation of the visit of the King and Queen to Salisbury.

“Ordered, that the Queen have at her departure by the hands of the Chamberlains of the City two fat oxen and twenty sheep, which are to be allowed the Chamberlains in account.” 6 Ed. IV., Feast of St. James the Apostle. *Latin*. f. 79.

1467, November 2.—The Bishop of Sarum proposes that all differences between him and the City be referred to the arbitration of Lords Audeley and Stafford de Southewyk, assisted by lawyers and merchants to the number of eight persons or fower, two being chosen on either part. 7 Ed. IV., All Souls’ Day. *Latin*. f. 83, *dorso*.

1468, November 11.—“Order, that as the King is to come within a little while to the City, as well to hear the matter pending in plea between the Lord Bishop of Sarum and the City as to do justice on

Henry Courteney and Thomas Hungerford, Knights, attaint, &c., ^{City of Salisbury.} the Chamberlain off the City send a horseman into the parts of Devon for John Hodesfeld, that he may be of the Council of the said City." 8 Ed. IV., Feast of St. Martin in Winter. *Latin.* f. 85.

1468-9, March 8.—Announcement of the arrival of the Lords, to wit, the Earl of Arundell, Lord Audeley, Lord Stafford de Southwyk, Lord Stourton, and the King's Council, and the Council of the Mayor and Community of the City to thoroughly examine and bring to a conclusion the matter pending between the Lord Bishop of Sarum and the City; for which purpose a day is assigned by the King in the next week. 27*l.* are to be raised to defray the expenses incident to the occasion. 9 Ed. IV. *Latin.* f. 86.

1468-9, March 13.—Question put by the Mayor, John A'Port, to the Assembly, whether they are consenting and agreeable to have and receive the City with all its appurtenances and all the liberties, franchises and privileges, &c., at fee farm in perpetuity of the Bishop of Sarum and the Dean and Chapter of the Cathedral Church, to hold the said liberties, &c., in right of the said Church in the said City, having obtained the King's license therefor, or for a term certain of years. And all the Assembly with one consent and voice say that they are agreeable that it should be at fee farm, but not otherwise. And the Mayor is authorized in the behalf and name of all the said community to publish and declare their said resolution touching the premises in presence of the said Lords and Justices and the King's Council. And so it is done the same day. And the Lord Bishop in proper person in presence of the said Lords, Justices and Council makes answer that he will not do this. He says furthermore, that though he himself were minded to do it, yet the Canons of the said Church, his brethren, would on no account consent to grant the said fee farm. 9 Ed. IV. *Latin.* f. 87.

1468-9, March 21. Westminster.—Copy of writ of this date under the signet summoning the Mayor and three or four others of the citizens of Salisbury to Westminster for the quindene of Easter, where the Bishop is to be at the same time, that the King may "take such direction as shal seme reasonable and behoveful" in the matter aforesaid. 9 Ed. IV. f. 87, *dorso*.

1470, March 31. Nottingham.—Copy of writ of this date under the privy seal commanding a levy of horsemen for service against the "rebelles and traitours, George, Duc of Clarence, and Richard, Earl of Warwewyke." Forty men are raised. 10 Ed. IV. f. 89, *dorso*.

1470, September 21.—Announcement that the Duke of Clarence and the Earl of Warwick have entered England from the parts of France with a great army, and have demanded by John Peke, Esq., a succour of forty armed men from the City. Letter from Thomas Selenger [St. Leger], Esquire of the body to the King, laid before the

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Assembly, in which the City is bidden to resist the said lords. The City being unable to resist, it is resolved that the said lords receive 40 marks in lieu of the forty armed men. 10 Ed. IV., Feast of St. Matthew the Apostle. *Latin.* f. 92, *dorso*.

1471, April 16.—It being now understood that King Edward is both *de facto* and *de jure* King of England, forty soldiers voted for his service. 11 Ed. IV., Tuesday in Easter Week. f. 97, *dorso*.

1471, May 16.—Forty armed men voted for the King's service in the parts of Kent. 11 Ed. IV. f. 100.

1471, December 6.—William, Lord Stourton, Sir Maurice Berkeley and John Cheney, Esquire of the body to the King, arbitrators between Richard Beauchamp, Lord Bishop of Sarum, and the City, having craved of the Mayor and Commonalty the appointment of some one person to declare their petitions, the Assembly appointed Thomas Pyrie for that purpose. The said nobles having received his declaration and laid it before the Bishop, now inform the Mayor and Commonalty that as to their submission the Bishop was well content with it, and that as to the relaxation of the duties of the Provosts and Aldermen he was not at present prepared to concede it, but he would be well pleased that two well-disposed lawyers should be chosen on either part to reform that matter, if the Mayor and Commonalty should consent thereto, and he subjoined that those offices would be annexed to the tenure of the said City as services that had appertained to the same from the creation of the City. And as to the offices of justice of the peace and clerk of the market he was not at present prepared to grant the petition, but he conceded that the Mayor should, if he would, be justice of the peace along with the rest by his the said Bishop's appointment for a limited time, and that the clerk of the market should officiate jointly with the present bailiff and solely in his absence, taking such fee or reward as should seem good to the said Lord, for a certain time: Provided always that the said Mayor take his oath of office of mayoralty before the said Bishop or his official, which if he should do, the said Bishop granted him the right of assigning persons in the meantime in place of Provosts and Aldermen at his peril.

Whereupon after due consultation it is resolved that the Mayor ought not to receive his oath in respect of his office of mayoralty from any but the mayor immediately preceding him in office, unless the King shall by letter otherwise order; and to such effect answer is made to the said nobles by the said Thomas Pyrie.

And thereupon it is determined that a fair copy of the Mayor's oath subscribed with the hands of the said three noble lords be sent to our Lord the King by the said John Cheyne, that it may be amplified or curtailed at the King's will and pleasure, and so be returned to the said Mayor by letter of the King, as he may order in that behalf. Which said oath was returned by our said Lord the King sealed with his sign manual, together with a letter of the

said King addressed to the said Mayor and his brethren and the **City of**
Commonalty of the City, of which the tenor is as follows :— **Salisbury.**

By the King.

“Trusty and Welbeloved We grete you wel, lating you wite that We be credibly enformed how that oure right trusty and welbeloved the Lord Stourton, oure trusty and right welbeloved Knyght for oure body, Sir Morice Barkley, and oure trusty and welbeloved John Cheney, oon of the Esquiers for our body, have employed their effectual labours and devoirs for a good direction towards a perfight end and unite to be had in certain matieres of variaunces dependinge bytwyxt the Reverende Fadre in God, our right trusty and welbeloved the Bisshop of Sarum, you and the Comminalte of the same, wherin suche conclusion, We trust, shall ensue as shall now be to the tranquillite, rest, weal and encrease of love bitwixt the said Reverende Fadre, you and oure Comminalte there, unto our great pleasure. And forasmuch as it is thought necessarye and behoveful an oth therupon for to rest and to be yeven unto you, th’articles wherof We have ripely and deliberatly overseen and send them to you herinne enclosed to th’entent that they shalbe retayned and remayn with you : We therfore wold charge you that ye Maire in goodly hast dispose you to receyve the said oth of the said Reverende Fadre, to whom We have committed auctorite and power in oure behalve by other oure lettres directed unto hym to yeve and to take you the same in suche manere and forme as be therinne accordinge and apperteyninge, wherin ye shall do unto Us right good pleasure : yeven undir oure signet at oure Paleis of Westminster the xixth day of December. To oure trusty and welbeloved the Maire, his brethren and commons of oure Cite of Sarum, and to ich of them.”
11 Ed. IV., Feast of St. Nicholas, Bishop, in Winter. f. 103.

1471-2, February 11. Westminster.—Copy of writ of this date under the privy seal exhorting the City to see to it that the laws be strictly observed, “and also that noo reteindres, liveres, signes, ne toknes of clothing nor otherwyse be taken, had, nor used by th’inhabitauntes contrarie to oure lawes and statutes ordeigned and provided in such behalf, and if any presume or take upon him to doo or attempte the contrarie and wol not be reformed, We woll and charge you that withoute any excuse or delaye ye expelle and put him oute of the same Cite.” Summary measures to be taken against vagabonds. 11 Ed. IV. f. 104, *dorso*.

1472, November 25.—William Boket, the new mayor, sworn in by the Bishop of Sarum in person in the Conventual Church of the Friars Minors at Southampton on December 3. 12 Ed. IV., Feast of St. Katherine. *Latin*. ff. 107, *dorso*, 108.

1474, June 4.—Copy of deed of submission to Richard Beauchamp, Bishop of Sarum, by William Eston, Mayor, John Halle and others on behalf of the City, concluding as follows :—“We, William Eston, Maire, and Citezens, by th’advise and will of all citezens and inhabitauntes of the said Cite of Newe Sarum, in a semble made the iiijth

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day of this present month of Junii, xiiijth yere of Kinge Edward the iiijth, have fully bytwene us concluded to submitte us to the saide Reverende Fadre, Richard Beauchamp, aforesaid. And so we submitte us in everich and in all materes dependenge concernynge us as citezens and his said Citie; beseching hym humbly that of all materes, discordes, debates, vexacions, dissencions and contraversiis betwene him and us he wolde take our saide submission. And we the said Maire, Citezens and Inhabitants promitte by these presentes to abide and stande to all suche disposition, ordinaunce and finall determinacion as the saide Reverende Fadre and good Lord shal dispose, ordeigne and determyne, beseching his good Grace that of his faderly pitee he wolde conserve us his saide Citezens and Citee in resonable privileges as before this tyme hath be graunted by Kinges and Bisshops his predecessors. In witnesse wherof we the said Maire and Commons of the saide Citee by oure good wille, aggrement and assent to these presentes have putte oure common seal. Yeven at Newe Sarum aforsaide in the vij day of Junii in the xiiijth yere of regne of Kinge Edward the iiijth." 14 Ed. IV., Saturday in the Week of Pentecost. ff. 114, *dorso*, 115.

1474, December 21.—List of the crafts of the City charged with the equipment of men for the King's service; to wit:—Mercers, Tailors, Butchers, Saddlers, Smiths, Dubbers, Brewers, Bakers, Fishmongers, Tanners, Innkeepers, Weavers, Carpenters, Barbers, Shoemakers, Founders, Tuckers. 14 Ed. IV., Feast of St. Thomas the Apostle. *Latin and English*. ff. 120–1.

1474–5.—Transcript of memorandum of proceedings in the case between the Bishop of Sarum and the City touching the right of swearing in the Mayor: from King's Remembrancer's Roll 32, Michaelmas Term, 13 Ed. IV. 14 Ed. IV. *Latin*. ff. 123, *dorso*, 124.

1474–5.—Admonitory letter under the privy seal to the Mayor and his brethren of our Cite of Sarum "threatening visitation if their riots cease not." 14 Ed. IV. Fragment attached to f. 125, *dorso*.

1481–2, February 26. London.—Copy of writ of this date under the signet demanding of the City a benevolence for the war with Scotland. 21 Ed. IV. f. 139.

1486, August 30.—Every person being of the number of the xxiiij to ride at the first coming of the King to the City in one suit of livery, and they that are of the number of the xlvij in such clothing as they have honestly ready. The King is to be presented with the sum of 20*l*. of which 12*l*. is to be furnished by the xxiiij. 2 Hen. VII., Wednesday next after the feast of St. Bartholomew the Apostle. f. 161.

1491, September 19.—At the forthcoming visit of the King and the Archbishop of Canterbury (Michaelmas) the Archbishop is to have a present to the value of 10*l*., the present to consist of

"2 dozen of maynchete, 2s.; item, 2 galons of Epacrace, 3s.; ^{City of} item, 6 loves of sewer, 10s.; item, 2 lb. of stykkes of synamond, ^{Salisbury.} 3s. 4d.; item, 3 lb. of gynger, 5s.; item, 6 lb. of peper, 8s.; item, 2 galons wyne, one of rede and the other claret, 16d.; item, 1 galon of caperyk, 12d.; item, dim. quart. almonds, 3s. Summa totalis, 38s. 8d." 7 Hen. VII., Monday before the feast of St. Matthew. f. 175, *dorso*.

1493, August 2.—Sir John Cheyne to have "20 men harnesed for to do the Kynge servyse atte this present viage ayenste his rebelles purposed ayenst hym in this present viage, whiche 20 men shall have of thys present citezens hors and harnes for ther bodyes, and none other charges, and my Mayster Chene to fynde theym wages convenyent and necessary for them atte tymes necessary for them." 8 Hen. VII., Friday next after the Feast of St. Peter's Chains. f. 181.

List of Benefactors to the City: among them King Henry IV., "the whych gave fredom to the Mayre and Comynalte of the forsayd Cyte to purchase londes and tenementes to the vaylour yerely of a 100 marke"; Robert Halom, "late Bysshop of Sarum, the which gave fredom, by the assent of the Dene and Chapter of Sarum, to the Mayre and Comynalte of the same place to purchase londis and tenementes to the valu yerely of 40l."; John Talbot, and John Pynnock, "the which gave certen revercions." f. 188.

1495, April 24.—Sir John Cheyne to have "20 men harnesed for to do the Kynge service to the defence of our Sovereign Lord the Kynge; which 20 men shall have of the citezens of this Citie hors and harnes for their bodies and non other charges, and to be at the Kynge's wagys." 10 Hen. VII., Friday next after the feast of St. George. f. 193.

1495-6.—William Webbe, Mayor of Sarum, and his "brethern" to the "Ryght Reverend Fadir in God and our syngler good Lord, my Lord Bysshop of Sarum.

"After alle due recommendation we recomend us unto Your Lordsheppe, certyfyng Your Lordsheppe that the Fryday 21 day of January last past a man was slayn in your Cyte of Newe Sarum, whych body lay upon the erth 2 days and not berid for lakke of a coroner in your sayd Cyte, to the lothsome and noyous syght of the peple. Whereuppon was grete rumore of the Cominalte, as well of the country as of your Cyte, that your sayd Cyte shuld be without a coroner, for it is a thyng that was never seyn in tymes past; but there shuld be 2 coroners inhabitantes withyn your Cyte and by actorite of your comaundement by your letters to us to be derectyd for to electe 2 suche inhabitantes of grete substans so to be chosyn. Whereuppon we in our most humble maner besechyng Your Lordshepp to graunt us such custumysse in this behalff as your noble predecessor in tymes past hath graunted unto us, by the which the olde rules may conteneue, as we shall be your true oratures and officers in that behalff, and contynualy pray for to

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God for the preservacion of your noble astate and dignite in grete prosperite and good hele long to endure: amen. Moreover besechyng in humbly wysse your good Lordsheppe to take no displeure of this oure simple wrytyng, and geve crevedens to our brodir berere of this letter tochyng this premissis so as we in breff tyme may with your plesure have undirstandyng how we shall be gydyd in this behalffe." 11 Hen. VII. *Copy.* f. 194.

1495-6, March 2.—Every street in the City to be "kept clene without fylthe or annoyons, as donghilles or ploekes, or any other annoyons, and ferthermore it is greid that the Maire with 3 or 4 of his brethern shall electe and chosyn 2 honest men in every strete, and to swer them that they shall present the names of them that doth contrary this ordinaunce as in the point aforesaid."

It is also agreed that :—

"All they of the xxiiij that hath be maire shall ride in scarlett ayenste the Kynge, and all they that hath not be maire to ryde afore the Maire in cremsen, and the xlvij to ryde after the Maire in grene. Also the Maire causid the stewardes of every crafte in the Cyte to brynge to hym in wrytyng how many men of every crafte shuld ryde with hym to reseve the Kynge and the Quene to the Cyte, and to mete with the Kynge a myle beyen Harnam Crosse, and there to delyver hym the mase, and the Kynge wold delyver it ayen to the Maire, and so the Maire to bere it before the Kynge in to his Paleis, and when he hath broghte the Kynge at his Paleis, to ride ayen to feche in the Quene and my Lady the Kynge's modir in like maner, save only the Maire shall not delyver here no mase. And to bryng the Kynge forth atown a myle in like maner, etc." 11 Hen. VII. f. 194.

1512, August 26.—Certain craftsmen having made default of their quota of costs of equipment of men for the King's service, stewards of crafts are empowered to make distraint upon them. 4 Hen. VIII., Thursday next after the Feast of St. Bartholomew the Apostle. f. 226, *dorso*.

1513-4, January 13.—"40*l.* shalbe levyed among substantiall persones, of theym that be worth 13*l.* and above, to the harnesyng of 24 men bisides 6 men sparid the last yere to perfourme the nommbre of 30 soldiars to the see to be assessed by 8 indifferent persones." 5 Hen. VIII., Friday next after Epiphany. f. 230.

1518, April 16.—"It [is] agreed that all hoksters selling frute from hensforth avoide the sellyng of their wares in the market place, and that a reformation be hadde ayenst coliers for mysusyng of their sakkes, that is to say, that their sakkes shalbe quarters and half-quarters and a mesuer of tree to be made at the costes of the Chamber for triall of the seid sakkes." 9 Hen. VIII. f. 240.

1518, December 6.—"Memorandum, that at this assemle all chaundlers called tallow chaundlers hath bounden theymselfe

sufficiently to fynde the Citie candell without lakke for 1½*d.* the City of li., 13 to the dosen, bitwyxt this day and xv dayes after the feast of ^{Salisbury.} Ester next comynge." 10 Hen. VIII. f. 242.

1520, December 10.—“Hit is ordeyned and stablissed, that no occupacion or craft within this Citie kepe theyre festes the dayes of theyre revelle but oon day oonly to contynewe; and the wardeyns of every occupacion shall geve knowlegge to their felyship of this acte, that hit be kept from hensforth without interruppercion on payne that every wardeyn, of what occupacion he be, of dooyng the contrary to forfayte 40s., and the steward in lyke wise to forfaite 20s., to be payed to the use of the Chambre; and to every jorneyman that wull not be ordered be theyr maistres, to forfaite 6s. 8*d.*” * 12 Hen. VIII., Monday next after the feast of the Conception of Blessed Mary. f. 245, *dorso*.

1521, August 30.—“It is aggreed that ther be a convenyent frame made in the market place to hang a bell, which bell rongen shal be warnyng for the nombre of the counsel howse, or for fyre, frayes or other assembles and ryottes, and to this entent Maistre Mere hath geven the bell of his owen goode wylle, and the Chambre to pay for the frame, to be covered, that the stokkes may stonde and dry, and the reristovers (?) that happen to be yn hit.” 13 Hen. VIII., Friday next after the Decollation of St. John the Baptist. f. 247.

“Item, it is ordeyned that no inhabitant of this Citie from hensforth receyve into theyre housys or roomys any sakkes of corn comyng to the market to be sold after the market endid, to th’entent to abide another market, to th’entent to be the derer solde, uppon payne to forfaite for every sakke so receyved, and as often tymes, of 12*d.* to be levyed to th’use of the Chambre, and if a pore man so offend, to be punysshed by the discrecion of the maire for tyme beyng.

“Item, no corn be solde in the market on the market day bifore the houre of ix, nor noon be solde after the houre of xij at the klokke.” f. 247, *dorso*.

1522, April 9.—“From hensforth all feasts and revelles, except the George feast and the Maire is feast, shall cease, and no such feast to be holden by no maner of persone within the Citie uppon payn, that is to wete, every man that hath been maire on payn of 100s., of the nombre of the xxiiij, not beyngne maire, 40s., every of the nombre of the xlvij, 20s.” 13 Hen. VIII., Wednesday in the 5th Week of Lent. f. 248, *dorso*.

1523, June 26.—John Eustace, John Thomson, Jacob Chaunterell, Isabell Prynce . . . hath promysed to be bounden to serve the Citie substantially unto Mighelmasse with candell after 1*d.* the li. and from Mighelmasse to Easter for 1½*d.* the li.” 15 Hen. VIII., Friday next after the Feast of the Nativity of St. John the Baptist. f. 252.

* I.e., every journeyman that will not be ordered by his master is to forfeit 6s. 8*d.*

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1524-5, January 13.—All the chaundlers yn this Citie shall sell candels from this day unto Easter day next cummyng for 1*d.* 1*l.* 1*l.*, and from thens to the fest of Mychaellmas next ensuyng for 1*d.* 1*l.* 1*l.* 16 Hen. VIII. f. 255, *dorso*.

1525, April 13.—“It is agreed at the petition of Thomas Buge and Thomas Tailour, stewardestes of the George fest, and Fr. Souwthe, that this Citie and th’inhabitauntes of the same be greatly charged, and more be like to be, with great paymentes to the Kynge’s Grace, that the same fest for this yere shalbe left, so that the said stewardestes kepe th’obbite and masse of old accustomed, and make the light and bring it to the churche, and chuse newe stewardestes.” 16 Hen. VIII., Thursday next before Easter. f. 256, *dorso*.

1527, April 10.—“It is agreyd, enacted and condiscendid that all the tallowe chaundelers within this Citie from hensforthe during this yere shall sell one 1*l.* of candels no derer then 1*d.* the 1*l.*, 13 1*l.* to the dosen, a true weight, to th’ inhabitauntes of this Citie, and to all others the Kynge’s subjectes. And if they or any of them hereafter make default in the premises, that then it shalbe leful to Maistor Mayor to punysse them accordyngly, and if after suche punysshement had and mynstred the said chaundelers wilnot obey this ordynaunce and rule, that then yt ys condiscendid by th’assent of this whole assemble, that the chaundelers so mysusyng them by false weights, or any of them, shallnot from thensforth use the said craft within the said Citie.” 18 Hen. VIII. f. 259.

1527, April 29.—“Came before Mr. Mayer and his brethern in the presens of the whole comminalte all the tallow chaundelers within this Citie, and condescendid and willyngly agreed to be bound to Mr. Mayer by their severall obligacions to serve the Citie well and sufficiently of candelles duryng this present yere for 1*d.* the 1*l.* as longe as ther stuff whiche they may have of the bochers of this Citie will endure and suffice, etc., that is to wite, from this day unto Mychaelmas next for 1*d.* the 1*l.*, 13 to the dosen, after Mychaelmas for 1½*d.*, 13 to the dosen, they to have ther tallowe of the bochers untill Mychaelmas next for 8*d.* the dosen, and after Mychaelmas for 10*d.* the dosen. 19 Hen. VIII. f. 261.

1528, May 15.—The charge and some of money for the harnysyng of 11 men sent to my Lord Chamberlayne the 3rd day of Maye shalbe levied and gathered of the cytezens of the Cytie beyng of the value of 20*l.* and above. 20 Hen. VIII. f. 262, *dorso*.

1528, December 10.—Oath of Edmond Fox, under-bailiff of Sarum, taken by Marco Antonio Campeggi as proctor of Cardinal Campeggi, Bishop of Sarum. He will do no unlawful act, but will administer justice impartially to all, succour widows, orphans and the poor against all that would do them wrong, defend the liberty of the Bishop, &c. 20 Hen. VIII. *Latin. Copy.* f. 266.

1529, July 2.—It is condyscendid and agreed that watche be kept on Seynt Osemonde's evyn next, and that all artyfycers and others within this Cytie be present theire in theire best maner, and in due season, as have byn accustomed in olde tyme passid. 21 Hen. VIII. f. 264, *dorsc.* City of Salisbury.

1529-30, March 15.—“ Yt ys fully condyscendyd and agreed by the whole house that every cytezen in this Cytie shall from hensforthe use and enjoye all suche liberties as ys and hath byn usyd in tymes passed and accordyng to there grauntes, and that every man shall enjoye the romes before his dore without to make any graunte to the contrary, and that no inhabitant within the same Cytie shall molest or deny any other his neighbour to the contrary of this present acte and ordynaunce, And fardermore it is agreed at the same assemble that yf in case any cytezen in this Cytie contrary to the sayd liberties be distreyned by any maner person for any chyminage or any other thyng in there grauntes conteynynd, that they shall cause the sayd parties so mysusyng and breakyng the sayd liberties to be attachyd, and farder to be suyd in the lawe as nede shalbe at the costes of the Chambre. And yf yt happen the sayd accions or sute [s] to be removyd to a higher courte or to London, then John Bigges, clerk, surveyor to my Lord the Bysshop of Sarum, beyng present at this assemble, dyd graunte to bere the charges of the sayde persons, or any other persons in tyme to come, intendencyng to sue any person for the liberties aforesayd, in tyme at the costes and charges of the sayd Bysshop.” 21 Hen. VIII. f. 266, *dorso.*

1530, March 31.—Came Elyzabeth Prynce, widowe, and John Botyllmaker, and condiscendyd and grauntyd themself to be bounde by there severall obligacions to the Mayer and Cominaltie of this Cytie, from Ester next cummyng unto Ester next ensuyng, sufficientli to serve the inhabitauntes of this Cytie of tallowe candelles at all tymes necessarie and requysite under payne in the sayd wrytynges conteigned, that is to say, from Ester next cummyng unto the feast of Seynt Mychael th'Archaungell then next ensuyng for jd. the li., and from the same feast of Seynt Mychael unto the feast of Ester then next ensuyng for $1\frac{1}{4}\text{d.}$ the li. in lyke maner; and so at this assemble it is enactyd and agreyd to contynue from hensforthe for the welthe of this Cytie.” 21 Hen. VIII. f. 267.

1530, April 22. “ It is fully enactyd and agreyd that William Lobbe, Mayer abovesayd, from the feast of Ester last past unto the feast of Ester then next ensuyng, shall have all the talowe growen bitwene the sayd feastes in the same Cytie, and no maner persone to by any talowe within the same Cytie, and to the same cummyng to be sold, without th'assent of the same Mayer, and that Elizabeth Prynce and John Eustas thys yere folowyng shal not use the craft of talowe chaundelers, nor shalnot by any talowe within the same without lycence of the sayd Mayer and his successors; for the whiche the sayd Mr. Mayer in this present assemble hath covenanted, grauntyd and promysed to serve the inhabitauntes of this Cytie well and sufficientli of talowe candeles at all tymes

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requisite and nedefull, that is to wyte, from the feast of Ester abovesaid unto the feast of St. Michael th'Archaungell then next ensuyng for 1*d.* the *lb.*, 13 to the dosen, and from the said feast of Seynt Michael unto the sayd feast of Ester for 1½*d.* the *lb.*, 13 li. to the dosen." 22 Hen. VIII., Friday next after Easter, 21 Hen. VIII. f. 267, *dorso*.

1530, July.—“It ys condescendid and agreid that watche be kept on Seynt Osmundy's evyn in the best maner that can be, and as it hath been used in tymes past.

“Farder agreyd and enacted that Mr. Mayer and all his brethern shall ride on Seynt Osmundy's evyn in the watche in maner folowyng, that is to say, every master whiche hathe been mayer in scarlet gownes, and every other of the xxiiij in crymsyn gownes : and this to contynewe always in tyme to cum.”

Thomas Barker discharged from the office of Constable and John Burdeler elected and sworn in his place.

“Farthermore agreyd that every citizen and inhabitant within this Citie for hym and there servautes shall have clubbes in there houses, every master of the xxiiij 6 clubbes, and every other person as many as shalbe nedefull and expedient for his household : that under payne of . . . every citizen makyng defalt, and that is, every master 2 *lb.* of wax, and every other 1 *lb.* of wax.” 22 Hen. VIII. f. 268, *dorso*.

1530-1, March 4.—“It is enactyd, condescendid and agreyd that the talowe chaundelers within this Citie shall have and occupie all the talowe within this Cytie for this present yere folowyng ; so that the said chaundelers and every of theym fynd sufficient suerities to be bound by there severall obligacions to suche persons as it shalbe thought mete by Mr. Mayer and his brethern for the plentuously servyng the inhabitautes of this Cytie, and as sufficiently as it hath byn servyd the yere past, and at that price, that ys, from Ester next cummyng unto the feast of Seynt Mychael th'Archaungell, then next ensuyng, for 1*d.* the *lb.*, 13 *lb.* to the dosen, and from the said feast of St. Mychael unto the feast of Ester then next folowing for 1½*d.* the *lb.*, 13 *lb.* to the dosen, and yf any of them be negligent and do contrary to this ordynaunce, that then every suche person so offendyng shalnot occupie any more the craft of chaundeler after true relacion made, and that they yn like wise, the said persons so litle regarding the premisses, shall forfait there penalties in there said wrytynges conteynd, and to be sued with effect to the extremyte.” 22 Hen. VIII. f. 270.

1531, July 2.—“It is fully enactyd that all regrators and commen byers of fagottes in grosse, to retayll and sele them agayne, shall sell, notwithstanding there price, from hensforthe 4 fagottes for a peny.” 23 Hen. VIII. f. 270, *dorso*.

1531, November 20.—“William Lobbe brought in a byll conteinynge the whole sum of talowe weydd in his tyme in one yere. The sum of the whole, as in the same byll ys declaryd, ys 8,169 dosen, 10 and 12 *lb.* of the whiche sum was spent in the same Cytie ;

5,164 dosens; and the rest was solde to the contrey with more City of
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1534, June 9.—John Mody and others "shall gather of the inhabitauntes of this Citie suche somes of money as they will give for certen buckettes of lether, ladders and grapuls to be had within this Citie for the depicssyng of fyre, yf any hereafter by mysfortune shulde happen to be within the said Citie; and it is enacted that after the said buckettes, ladders and grapuls be bought and provided, that they ever after shall be maynteyned by the chamberlaynes of this Citie.

"Item, at this assemble Mr. Hawles gave a ladder of 30 romes. Item, Mr. Holmes an ox-hyde worthe 5s." 26 Hen. VIII. f. 277.

1534, October 16.—"Mr. Thomas Chaffyn, considered his disease and sikeness, for this yere next ensuyng shalbe dischargid of th'office of the mayraltie of this Cytie, and shalnot be electid, named nor appoyntid to the same by any persone, but therof clerely to be dischargid. And for this discharge so to hym made and grauntid the said Thomas Chaffyn hathe remysed, releacid and given to the Chambre all suche costes and charges as he hathe susteyned by reason of his beyng at the Kynge's high courte of Parliament, amountyng to the some of 30*l.* or therabout. And the premisses notwithstanding, the said Thomas dothe promytt and graunt at the present assemble at all tymes to cum after this yere folowyng, yf it pleas God to sende hym helthe, to take the seid office of mayraltie uppon hym, when he shalbe therunto electid and chosen." 26 Hen. VIII. f. 277, *dorso*.

"Item, at this assemble William Briand, one of the executors of Mr. Thomas Bricket, declared the last wyll and testament of the same Thomas concernyng 5 almes houses and 2 other houses whiche he hath given to be ordred by the Mayor and Comminaltie of this Citie, as by this article herafter folowyng, conteyned in the last wyll of the same Thomas, it dothe appere:—

"Item, I wyll that the 5 almes houses that I have buylded in Dragon Strete be given to th'use of 5 poor men or wymmen for Christe's sake to praye for me, and that gyft ever to be done by the Mayer of this Citie, and he to have ever at Mydsomer 12*d.* for his labour, and every serjaunt 2*d.* Also I wyll that the Mayer and his bredern take the rent of 2 houses joynyng to the said almes houses, whiche ys by the yere 13*s.* 8*d.* to the Chambre of this Citie, and they to se the said almes houses be well repayred, and every yere to pay the quyte rent.

"And the said William Briand hathe promysed to bryng at the next audite all the dedes concernyng the premisses, and the same to delyver accordyngly, etc." f. 278.

1535, June 25.—"It is agreid that where[as] Master Webbe brought in the Kynge's wryte of and for the payment of 43*l.* 8*s.*

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for his expensis susteyned at the Parliament, that the said Mr Webbe shalbe paid the said some, except 3*l*. 8*s*. whiche he hath remytted and of his goodnes forgiven, in maner and forme ensuyng, that is to say, 20 marks at the feast of All Saints next ensuyng, or at the accompt then next to be made for the said Citie, and every yere after at every suche accompt 20 marks unto the some of 40*l*. be unto the said William Webbe fully contented and paid of the rents of the Chambre.

1535 "Also it is agreid that watche be kept on Seynt Osmunde's evyn as it hathe byn of old tyme accostumed, and that every occupacion do ther diligence for the furnysshynge of the same to the honor of the Citie, that they be redy and give thereat tendaunce before Mr. Mayer in the market place at 6 of the clock uppon payne of imprisonment.

"Also it is agreid that the 21 bucketts whiche be bought for savegard of this Citie in tyme of fyre shall remayne in the yeldhall of this Citie in the custodie of the serjauntes, whiche shall make answer for them if any be inbesild or stolen." 27 Hen. VIII. f. 279, *dorso*.

1535, September 27.—"It is agreid, concludid and ordeigned that, if the Kynge's Grace and the Quene do cum to this Citie, that then Mr. Mayer and his brethern, whiche have byn mayors, to receyve them in scarlet gownes, and other of the nombre of xxiiij in crymsen gownes, and the xlvij and other honest men in violet colors after there best maner to the honour of this Citie on horseback.

"And that the Mayer and Comminaltie shall give the Queny's Grace a purs of golde, and 20*l*. 13*s*. 4*d*. in the same of golde, to be levyed of the goodes of the Chambre, to be delyverd by Mr. Mayer.

"Item, that all the torches and torchettes of all occupacions within this Citie be viewed and nombred by Mr. Mayer by his discrecion, so that, if the Kynge's Grace do cum late to this Citie, that then the said torches and torchettes to be in a redynes, light with convenyent berers to give there due attendaunce then to convey the Kynge's Grace to his lodgyng, to the honor of this Citie." 27 Hen. VIII. f. 280.

1537, August 8.—"It is agreed that the xxiiij of this Citie, and Christopher Chaffyn, John Corryett, John Nicholas, Edward Deane, Thomas Barker and Thomas Heale, whiche be of the nombre of the xlvij, that they shall have the heryng of all suche variances and controversies as is now at this tyme betwext the Lorde Nicholas Shaxton, Busshopp of Sarum, and this Citie before John FitzJames, Lorde Chiefe Justice, and Thomas Willoughby, oon of the Justices of Assise, or oon of them now, on Seynt Laurance day next comyng. And what determination shalbe then and there done by the consent of the above-named persones we all doo ratifie the same." 29 Hen. VIII. f. 286.

"It is agreed that Mr. Mayer, Mr. South, Mr. Webbe and Mr. David shall have the determynacion of all suche controversies as be betwene us and the Busshoppe of Sarum before the Kynge's

Councill, and whatsooever that they doo, wee at this assemble City of
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doo consent therto.

“Also at this assemble it is agreed that all suche persons whiche have lent money to the Chamber for the sutes of the maters betwene the Busshoppe and the Citie before the Kynge’s Councill, that at a convenient tyme the Chamber shall repay the same money ayen.”
f. 288.

1538, October 4.—“It is enacted, condescended and agreed that John Bromham, John Eustace, John Rogers, Thomas Alighe, William Skete and John Taylor, of the Citie of Newe Sarum, talowe chaundelers, havynge owe the occupying and governaunce of all and synguler talowe growyng and comyng within the said Citie, and all other persons whiche in tyme to come shall have the occupying and governaunce of talowe growyng and comyng within the same Citie, shall, from the feast of Ester next comyng after the date next above writen unto the feast of Seynt Mychell th’Archangell then next ensuyng, well, sufficiently and plenteously serve the inhabitantes of the forsaid Citie of Newe Sarum of candelles for peny the pounde, and not above; and from the feast of Seynt Mychell th’Archangell unto the feast of Ester for peny and farthing the pounde, and not above; and soo from feast to feast continually as is above mencyoned, and that every dosen of candelles have threttene poundes, and they kepe trewe weight, and that every dosen have their advantaiges and every halfe-dosen theyr advantaiges, and that at every weying day and place the said talowe chaundelers and every of theym incontynently and forthwith pay their bochers redy money for so moche talowe as they or any of theym at that tyme shall receyve of their said bochers; and that the said talowe chaundelers make as much talowe in candelles as they and every of theym shall receyve from the weying places within the said Citie, soo that the Cominaltie, and the towne dwellers of the same Citie, and all other persons that shall to the same Citie resorte, have noo cause to complayne theym for the same, and that the said candelles be made with good weake and cleane talowe; and that the said talowe chaundelers, nor any of theym, nor any other person in their behalfe, doo not sell, utter, convey or cary away from the said Citie any candelles or talowe untill the Citie, and the inhabitantes of the same, and all other persons to the same Citie resortyng, be dewly and sufficiently servyd; and in case the said John Bromham, John Eustace, John Rogers, Thomas Alighe, William Skete and John Taylor, or any of theym, or any other person or persons whiche in tyme to come shall have the occupying and governaunce of the talowe growyng and comyng within the said Citie, doo not observe, performe, fulfyll and kepe all and singuler articles here above mencyoned, that then all suche talowe and candelles, whiche shalbe in the custody of hym or theym soo offendyng, shalbe employed and bestowed as shall please the Mayor and his brethren of the forsaid Citie for the tyme beyng, and he or they soo offendyng shall never meddle more with makyng or sellyng any more candelles but utterly to be expulsyd and excludyd for makyng or sellyng any more candelles for evermore.” 30 Hen VIII. f. 290.

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1540, October 8.—“It is agreed that Raffe Banyster, John Crowche and Robert Bemonde shalbe waytes for this Citie, and shall have th'accustomed waiges as other waytes have had in tymes past, and that they the said Raffe Banyster, John Crowche, and Robert Bemonde, and every of theym, dothe promyse not to departe oute of their service withoute the warnyng of one hole yere by theym to be gevyn unto the Mayor and his brethren for the tyme beyng. And they the said Raffe Banyster, John Crowche, and Robert Bemonde, and every of theym, have receyved a color of sylver with C and S, and a scochyn with a pycure of halfe an aungyll gylte, and the armes of the said Citie, every color weying 8½ oz.; and they the forsaid Raffe Banyster, John Crowche, and Robert Bemonde, doo promyse and bynde theym selves to the Mayor and his brethren for the tyme beyng, the one for the other, to redelyver the said three colors and every of theym at all tymes before ther departyng oute of their said servyces; and furthermore the said Robert Bemonde knowlegeth hym self to have receyved of the Mayor and his brethren at this assemble twentie shillynges in redy money towards his instrument called his sagbut, and in case the said Robert doo departe at any tyme hereafter oute or from his said service, that then the said Robert doth promise to redelyver to the Mayor and his brethren for the tyme beyng twentye shilling of good and lafull money of England, and for the payment of the said twentie shillings ageyn to the said Mayor and his bretherne they the said Raffe Banyster and John Crowche dothe at this said assemble promyse and bynde theym selves, every one in the whole, for the payment of the same 20s.” 32 Hen. VIII. f. 293, *dorso*.

1540, December 9.—“At this assemble the chaundelers came before us, and for their transgressions in not servyng the Citie of candelles accordyng to their bondes have geven 20s. in redy money towards the avauncement of the Inne of the George, whiche was late voyde.” 32 Hen. VIII. f. 295, *dorso*.

1547-8, March 14.—“It is condescended and agreed that the Chamber shall have hereafter all the talowe that shall come within this Citie, and to serve the Citie yerely from Easter to Michaelmas for 1*d.* the li. and 13 to every dosen, and from Mychelmas to Ester for 1½*d.* the li., and 13 to every dosen.” 2 Ed. VI. f. 304.

1550, November 10.—“It is agreed that no brewer within this Citie nor other from the 18th day of this present monthe of November, whiche day Mr. Meyor shall make his proclamation, shall sell noo maner of ale above 1*d.* the galon accordyng to Mr. Meyor's proclamation untill suche tyme that Mr. Meyor and the Justices shall take any order for the same. And that bere of the best shalbe solde noo derer then 22*d.* the barell, and mylde bere for 18*d.* the barell, and syngle bere . . . the barell and no derer.” 4 Ed. VI. f. 305, *dorso*.

1550-1, March 18.—“It is agreed that all brewers, whiche nowe at this present tyme dothe brewe, shall not at any tyme hereafter

leave of brewyng and begyn ayen ; for if they doo, every of theym shall forfeite to the Chamber 10*l.* in money to be levyed of their goodes and catalles." 5 Ed. VI. f. 308, *dorso*. City of Salisbury.

1552, August 3.—"Agreid, concludid and ordayned that iff the Kyng's Grace do cume to this Citie, that Mr. Mayer, and his brethern whiche have byn mayers to receve hym in scarlet gownes, and other of the xxiiij in crymsen gownes, and the xlviiij and other onneste men in violet collord gownes after there beste manner to the honnor of this Citte and on horsbake.

"Also that the Mayer and Comminalte shall geve to the Kyng's Grace a coppe of silver with a cover gilte of the vallue of 10*l.*, and 20*l.* in golde to be gevyn in the same coppe : some 30*l.* : whereof there is to be levyed of the Chamber 10*l.*, and of the xxiiij 10*l.*, and other 10*l.* of the xlviiij, and other honeste persons ; and also hyt is agreid that alle that be of the xxiiij shall pay 10*s.* a man, and alle that be of the xlviiij 5*s.* a man." 6 Ed. VI. f. 309.

1552-3, February 3.—"It is agreed that upon Fryday the 10th of this present monethe of February accompts shalbe made, as well of the money for the wheate as also for the money of the gatheryng ageynst the Kyng's Majestie's coming last past. And that Mr. Mayor, Mr. Thomas Chafyn th'elder, Mr. Wrastley, Mr. Griffith, Anthony Weeke, Lewes Davy, Thomas Girdle and Christopher Tucker shalbe present and livare the same accompte." *Copy replacing mutilated minute.* 7 Ed. VI. f. 310, *dorso*.

1555-6, March 20.—"Whereas three dirges have been yerely song heretofore within the parish church [of] Seynt Thomas in Sarum for the fownders and benefactors of this howse, and [for] certen causes lett downe ever sithens the begynnyng of Kyng Edwarde the VIth untill this tyme, it is concluded and agreed that the said three dirges be yerely kepte in the said churche of Seynt Thomas accordyng to the olde ordynaunces and customes at the charge of the Chamberlaynes, and that the priests and clerks shall have of the said Chamberlaynes 4*l.* a peece.

"For the common utilitie and profytt of this Citie at this assemble it is condescended and agreed, that, forasmoeche as the chaundelers of this Citie contrary to theire promesses and bandes have greatly offended the commons of this Citie in lewde and negligent servyng the same Citie of candelles unto theire great annoyaunces and trouble of the same Citie, fyrst that Edmunde Mathewe, oone of the chaundelers of the same Citie for his offence and contempte in the premisses shall pay for his fyne for the said offence assessyd upon hym at this assemble 4*l.*, and that John Mylles and Thomas Prynce, twoo other of the chaundelers of the said Citie, shall pay for theire fyne for theire lyke offence fyve shillyngs a peece, whiche said sommes by the common assent of this house shalbe bestowed as well in and abowte the reparation and amending of the common house of office standyng nigh unto Crane Brydge adjoynyng unto the said Citie, as also upon the newe gravelyng and amending of the common market-place within the said Citie, whiche said severall

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sommes of the said John Mylles and Thomas Prynce shalbe payed to the hands of the Chamberlaynes of the said Citie to th' use aforesaid before the feast of Penthecost next comyng, and the 4*l.* payable by the said Edmund Mathewe shalbe payed by hym to th' hands of the Chamberlaynes aforesaid to th' use aforesaid, at the feast of Seynt Michell th' Archangell next comyng 40*s.*, and other 40*s.* at the feast of Seynt Michell th' Archangell whiche shalbe in anno 1557, and he to be bounde in twoo obligations for the payment of the same." 2 & 3 Philip and Mary. f. 315, *dorso*.

1556, May 22.—"Forasmoeche as it is apparante to the hoole house that John Eyre hath offended in brewyng of stronge ale, and that he hath forfeited 10*l.* as is mencioned in the Acte made in the tyme of Mr. Christopher Chaffyn then beyng mayor, yet neverthesse by cause he is an honest man, and dyd confesse his said fault and submytted hymselfe unto the order of this house, it is therefore nowe ordered by the hoole assent of the same, that the said John Eyre shall paye in hande for his said offence unto the Chamberlaynes of this said Citie to be by theym used and employed abowte the reparacion and amendement of the market-place of the same Citie, where most nede shalbe, 40*s.*, and that Maister James Andrewes, Mayor, for the sellynge of oone cowle of strong ale shall pay in hande to the use aforesaid 5*s.*

"It is agreed that Roger Bell shalbe nominated to be oone of the sellers of wyne within this Citie in the stede of Roger Eaton, who is discharged of the sellyng of the said wyne, soo that the said Roger Bell doo sell wyne accordyng to the Acte of Parliament in that case provyded." 2 & 3 Philip and Mary. f. 315, *dorso*.

1556, September 2.—"It is agreed that all the ale brewers within this Citie shall brewe their ale for 1½*d.* the galon untill the feast of Seynt Michell th' Archangell next commyng, and after the said feast untill the next assemble, for 2*s.* the cowle, the good ale, and ½*d.* the galon for the 1*d.* ale, and they that shall fetch of the brewers a galon of good ale shall have the same for 1¾*d.* under the clenser, goode and stale at the typlers for 2*d.* the galon.

"And also that all the bere brewers within this Citie shall, untill the feast of Seynt Michell th' Archangell next comyng, sell their doble beere and syngle beere as they dyd before, and after the said feast they shall have untill the next assemble for every barell of doble beere 2*s.* 4*d.*, and for every barell of syngle beere 14*d.* the barell." 3 & 4 Philip and Mary. f. 316, *dorso*.

1556-7, March 12.—"Robert Harte, William Dyer, John Roberts, Richard Andrewes, Thomas Davys, Richard Grafton, John Cuffe, John Hyrdler, William Bedforde, came in to the Chamber, and brought with theym suche severall sommes of money as [they] have here receyved, as appereth by their severall wrytynges obligatorie, wherin they stode bounden unto the Mayor and Comynaltie of this Citie for the setting of spynsters a work accordyng unto the last wyll and testament of William Webbe, decessed, and forasmoeche as they ne any of theym dyd fully accomplysse the

condicion of the said writynges obligatorie wher in they stoude ^{City of} bounden, therefore they and every of theym by the hoole consent of ^{Salisbury.} thys house are severally amerced, as apperethe upon theire severall heddes, whiche amountythe in the hoole to 30s.

"Also, forasmoche as Mr. John Hooper, Mr. Robert Gryffythe, Mr. Woodlocke, Mr. William Eyre, Mr. Abyn, Christopher Tucker, John Blathat, John Bekyngnam, John Baker, Thomas Chaffyn, junior, John Morall, Thomas Westcott, John Kent, John Odell, Richarde Carpenter, John Eyer, Christopher Olyn, Thomas Harvest, Thomas Jacobbe came into this house tarde, after nyne of the clocke this day, therefore they and every of theym are amerced in 12*d.* a peece." 3 & 4 Philip and Mary. f. 317.

1558, April 22.—"It is condescended and agreed that none of the xxiiij shalbe hereafter returned in any jury between partie and partie, nor at any tyme shalbe chosen to be in th'offices of the constable, church-wardens or chamberlayne, or any other inferior office whatsoever it be." 4 & 5 Philip and Mary. f. 319, *dorso*.

1560-1, March 22.—"Hit is agreyd that the chandlers shall not sell candells above 2s. the dosen this yere, and that Mr. Mayor and his brythers shall travayle with the chandlers for a lower pryce of candells, if hit may be." 3 Eliz. f. 325.

1562, August 8. Greenwich.—The Queen to the Mayor and Aldermen of the City of Salisbury:—"Trustie and welbelovyd We grete yow well. And where [as] We have of late wryte to our Sheryff and Justyces of Wiltes for the levyeng of 200 men in that countie for our present servyce, for the furnysshying of which numbre We understand by our ryght trustie and ryght welbelovyd Cousen and Counsellor th'Erle of Pembroke thei have made yow our subjectes of that our Cyte of Salysburye contrybutory, We let yow to wyte, that hyt hath not bene meant hereyn that any of your pryvyleges, being a Cyte exempt from our sayd countye, shold be thereby ynfrynged, but for that our present servyce requyareth some expedition, our pleasure and commaundment ys that yow do by virtue of theise our lettres folow suche dyrectyon and order as hath bene prescrybed unto yow by the Sheryff and Justyces of our sayd countie as well for the levyeng of the numbre appointed by them to be taken in our said Cyte as for their forder furnytüre and setting forth, and theise our lettres shalbe your suffeycent warrant in this behalffe. And We shall hereafter geve order that for any other servyce, wherin We shalbe occasioned to employe any our subjectes of that our Cyte, yow shall receive our lettres and authoryte for the doing therof. Yeven under our signet at our manor of Grenewyche the eight of August in the fourth yere of our regne." 4 Eliz. *Copy.* f. 329.

1562, September 25.—"Hyt is agreyd that Mr. Anthonye Weekes shall fynde a scavenger cart, and have for his labor for oon yere 20*l.* in monye, and he to be bownd to carrye owt of the Cyte, for as many as do pay watche and warde, all suche myre, durt, dust and

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soyle that doth now lye, or hereafter shall lye, yn the stretes from tyme to tyme, and geve his attendance especially the Wednysdayes and Saturdayes, yf thei be not hollydayes. Hyt ys farther agreyd that he shall not be charged with caryage of any stable dong or garden weedes uppon that fee. Also every cytezen shall swepe, rake and laye yn heaples redy to be throwe in to the cart all myre, durt, dust and soyle, lyeng and being before hys howse and garden as ferre as his ground doth extend." 4 Eliz. f. 329.

1563, December 15.—Devise by Henry Terell to the Mayor and Commonalty: to wit, 16 tenements in Bugmore Lane and Tanner Street, four of which are to be for the use of poor people free of rent: 20s. to be payable thereof yearly during need to any quondam mayor that may become impoverished. It is agreed that the donor's name be put in the Table of Benefactors. 6 Eliz. f. 333.

1563-4, January 21.—"Agreyd, the scarcyte and derth of corne and hoppes consyderyd, that the bruers which, as thei saye, cannot lyve to serve the Cyte of bere and ale at the price of 1½d., as they have long used, may from hensforth sell a kyldrekynne (18 gallons) of the best bere for 2s. 4d., and of the second bere for 16d., the kyldrekynne, and a cowle of the best ale for 2s. And the typlars to sell a quart of the best bere or ale for oon halfpeny. And the alebruers may sell the gallon of the best ale under the raynge for 1½d. and a gallon of the smallest ale for oon halfpeny. And that the bruers or typlars shall not sell any bere or ale above the prices above set, upon payne to forfayt 10*l*. for every time that he or they shall make defalt, and to remayne in ward untill he or thei have payed the sayd forfayt; and ferther, no bruer shall sell any stale ale withyn his howse or out of his howse by the pot, as the typlars do, upon lyke penaltye. Ferther, the sayd bruers shall fynde vessell and bryng theyr bere and ale to their customers' howses at their owne costs and charges, yf hyt extend to 6 gallons or abote." 6 Eliz. f. 334.

1564, April 10.—"It is at this assembly ordered and decreed that the olde and auncient price of ale and bere before, accordinge to the assise of 1½d. the gallon and 18d. the cowle, shall stand and contynue, and bere at 20d. the barrell, the best, and the single bere at 14d. the barrell. The penny ale at ½d. the gallon. And also it is agreed that all penaltyes touching the same order shall remayn in the same sorte before in the last assembly determyned.

"At this assembly it is further decreed and established that ther shalbe a house, which is alrede assigned in Winchester Strete to holde and set to worke idell people, so that ther shall none, which be hable to worke, that shalbe suffred to go idelly abrode in begginge, nor also any impotent persones shalbe permitted to begge abrode either within or withoute the Citie, dwelling within the Citie."

[List of twenty names.]

"At this assemblie it is decreede and ordered that those 20 persones last underwriten or 12 of them shall take and make orders

for th'ordering of all thinges to be done for the setting to worke ^{City of} of the ydell people which shalbe brought into the sayd house." Salisbury. 6 Eliz. ff. 334, *dorso*, 335.

1564-5, January 15.—"It is agrede, concluded and determind that from and after this present day no bruer of ale or bere within this Citie brewinge shall brewe any ale or bere above the rate confirmed and ratified in the tymes of the maioralty of Mr. William Kent and Mr. Christopher Chafyn, that is to say, ale at 1½*d.* the gallon, the best sorte, and of the second sorte of ale ½*d.* the gallon; and bere at the rate ensuinge, viz. 20*d.* the barrell, the best sorte, and 14*d.* the barrell of the second sorte, upon such former enactment as before is declared in other former actes, and no other sorte or sortes to be brewed upon paine of 10*l.* And for the full execution herof it is agrede that the constables of this Citie shall have power to serche for the contrary, and to give information to Mr. Maior, that due execution may be had." 7 Eliz. f. 336, *dorso*.

1565, June 27.—"It is to be noted that Mr. Robert Griffith, Mr. Anthony Weekes and Mr. Thomas Belly and William Walter herd the Bishop of Sarum say that the Maior of Sarum was his maior and the people of Sarum his subjectes." 7 Eliz. f. 338.

1565, December 11.—"It is ordered and determyned by the generall consent of the [assembly], that no foreine boucher dwelling oute of this Citie shall at any tyme after Christmas next kill any victuall, nor have or make any slaughter-howse within this Citie of Sarum upon such paine as the Maior for the tyme being by his discretion shall appoint to the presumer and offender doinge the contrarie in that behalf.

"It is fully determyned that a Councell House shalbe erected in such a place within this Citie as by the determinacion of the Superiors of the Benche of this Citie, with advise and consideracion of such of the house as shall from tyme to tyme ponder of the best and most fitte place, and all thinges necessary therunto, to be provided. And to further this intended matter more expediently Mr. Wilton and Mr. Tanner are assigned at the request of the hole house to seeke the good will and contribucion as well of th'inhabitantes of this Citie as also of all others ther acquaintance and friendes.

"By Mr. Maior at this assemblie a booke of th'Abridgement of the Statutes is bought, to remaine redy to be perused upon the Statutes as causes shalbe extended within this howse, the price of which booke is 8*s.*

"Also at this assembly Gyles Thornebury and John Fryer, Christopher Harrison and Robert Coulter are by th'aide of the constables appointed to walke and consider of runnagates, vagabundes and vagrant persones to be either punished or conveyed owte of this City." 8 Eliz. f. 339, *dorso*.

LEGER C. III.

1571-2, March 12.—"It is ordered that all vagabundes, extra-

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vagantes and idel persons, which reortes unto this Citie, shalbe daily as muche as may be expulsed in every warde, and to every warde thes persons folowinge ar assigned :—

Martin Warde	{	Rich. Grafton	
	{	Thomas Wilsforde	
	{	John Graye	William Wotton, Constab.
Newstrete Warde	{	John Cannons	
	{	Henry Hamond	
	{	Robbert Newman	Charles Wotton, Constab.
Market Warde	{	Thomas Wolfe	
	{	William Eyre	
	{	William Holmes	John Robins, Constab.
Mead Warde	{	Charles Jacob	
	{	John Morse	
	{	Richard Gauntlet	
f. 21, <i>dorso</i> .			John Frier, Constab."

"Mr. Giles Estcourte and Mr. Hughe Tucker are admitted and elected burgesses for the nexte Parliament to be holden the 8th day of May nexte, 1572. And forasmuche as th'Erle of Penbrooke hathe by his lettres written in the favor of one at his request, therefore, although the auncient orders and privileges be now at his honorable request dispensed with, yet from hensforthe it is intended and determined by this assemblee to be in the onely nomination and election of this house for all suche burgesses as hereafter shalbe set oute of this Citie accordinge to the Prince's somons, to be of the nombre of this house from time to time." f. 22, *dorso*.

"Edward Tichebourne is admitted by general consent of this assemblee to be master of the free grammar schole of this Citie, and to enioie the wages and commodities thereto pertinent duringe his good diligence and service in that place."

"Mr. John Vennard hathe at this assemblee brought in the foure chaines of silver for the waites, and in everie chaine is xli j esses, and scutchion of silver of th'armes of this Citie. 14 Eliz. f. 23, *dorso*.

1573-4, February 27.—"Mr. Maior, Mr. Eyre, Mr. Davy, Mr. Weekes, and Mr. Bayly, Peter Hayward, Robert Holmes, John Roberts, Thomas Marshall. These persons aforenamed or 5 of them at the least ar appointed at this assemblee to comon and to conclude with the carpinter and all other workemen, and for all other thinges, for th'erection and buylding of the new Councell House, and also to obtaine contributions towards the charge of the same chargeable buyldinges, which contributions ar to be had and gathered of the citezens." 16 Eliz. f. 28.

1574, August 13.—"It is concluded, and by thes presente assembled ordered, that Mr. Thomas Boston and Mr. John Bailly shall collecte the contribution of the xxiiij here graunted towards the Queene's Majestie's gifte of a cuppe and 20*l*. in golde as foloweth,

and Peter Hayward, John Robyns, Thomas Wolfe and Robert Holmes shall gather the contribution of the nombre of the xlvij and others according to a taxation of a bill thereof here this day rated. City of Salisbury.

“And further, for the provision of a cuppe of the valor of 20 markes or upwardes, and 20*l.* in golde to be put therein, order is also taken againste the Quene’s Majestie’s comyng.

“And for th’apparailing of Mr. Maior, and his associates that have ben maiors, and others of that nombre, it is agreeede they shalbe all cladde in scarlet gownes, and all the nombre of the xlvij to be in blacke, comely citezen’s gownes lyned with taffeta or other like good silke. And certeine others ar drawn in to be likewise in forme of like apparaile then to attend Mr. Maior.” 16 Eliz. f. 30.

1574, October 27.—A Remembrance what monie was payed when Her Majestie was at this Cittie.

In primis, payed to Her Majestie’s bakers ..	3 <i>s.</i> 4 <i>d.</i>
Item, to her sworde-keper ..	20 <i>s.</i>
Item, to th’overseer of the wages ..	10 <i>s.</i>
Item, to the trumpetours at th’entringe into the Cittie, and for the proclamacions ..	3 <i>l.</i>
Item, to the porters ..	20 <i>s.</i>
Item, to the knyght marshal ..	20 <i>s.</i>
Item, to Her Majestie’s lytter-men ..	10 <i>s.</i>
Item, to the kinge of harrolde ..	50 <i>s.</i>
Item, to th’ordinarie messengers of the Chamber ..	40 <i>s.</i>
Item, to the yeoman of the bellettes ..	10 <i>s.</i>
Item, to Her Majestie’s footemen ..	40 <i>s.</i>
Item, to the serjeant at armes ..	40 <i>s.</i>
Item, geven to the blacke garde ..	24 <i>s.</i>
Item, to Her Majestie’s musicians” ..	10 <i>s.</i>

16 Eliz. f. 32, *dorso*.

1577-8, January 15.—“To th’end that those who have alredie passid the office and chardge of the maioraltie of this Cittie of New Sarum maye have sum preferment and countenance in respect of their travail and chardge, and that those who hereafter from tyme to tyme shall be called unto that office may the better be encouradged to take the [same] uppon them, therefore by common consent it is thought good that there be a sute made and effectually prosecuted by Mr. Maior and his hole companie unto the nowe Lorde Bishope, that all those who have bin alredie maiors of this Cittie, and those whiche from tyme to tyme shalbe maiors of this Cittie maye be in commission of the peax and gaol deliverie within this Cittie.” 20 Eliz. f. 50, *dorso*.

1578, June 2.—“It is fully agreed that, whereas divers disorders and abuses have byn done and comyttyd by the butchers and chaundelers of this Cittye in not performynge and fulfillinge suche auncient orders and customes as have byn hertofore used, yt is nowe enactyd by the common consent of this assemblye that what charge or expences shall aryse or growe towards Mr. Mayor or any others of this house in prosecutinge, fulfillinge or defendinge, eyther the said auncyent orders, or any the sayd obstinat and wilfull

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persons, that he the sayd Mr. Mayor for the tyme beinge, or others, shalbe allowyd and payed theyr charges at the next assemblye, or at any other tyme when they shall bringe in theyr billes, by the Chamberlaynes of this Cittye at the charge of the Chamber; and what other order Mr. Mayor shall take or fulfill for the furnisheinge and vytlinge of this Cittye with fleshe upon any abuse or want of vitalles by the butchers of this Cittye, the Chamber lykewyse to beare and paye the losses which shall then ryse or growe, and also to take suche profittes as may come by encrease thereof, yf any be." f. 53.

"It is agreed that Mr. Mayor shall have full power and auctoryte to assesse, taxe and distreyn and compell every tenant and inhabitant resyaunt and dwellenge upon the towne dyche for the amendinge, repayreng, skowering and clensing of the same dyche." 20 Eliz. f. 53, *dorso*.

1579, March 27.—"For Mr. Webbe's and Mr. Abyne's monye beinge appoynted to be employed upon the settinge of spynners, wevers and clothiers a worcke, hit is agreed that suche persons of that occupation and trade shall have the same monye as will imploye it upon the settinge of the poore one worcke in that trade; for better performynge wherof yt is ordered that suche persons as shall have the same monye shall everye Saterdaye once in everye fotenight repayre to the Mayor of this Cittye for the time beinge, and agree to mayntaine so manye spynners as shalbe lymyted unto him [or them] by the said Mayor for the time beinge over and above suche persons as the same persons doo or maye finde upon their owne stockes; which names shalbe deliverede to the curat and curates of the parishe to reade openlye in the churche in the next Sundaye; and yf the same persons which shall have the same monye shall fayle of the performance of this order, that then the same persons wythin one weeke's warnynge to be geven unto him or them by the Mayor of this Cittye for the tyme beinge or his deputye at or in the parishe churche wher the sayd persons shall dwell,—and shall againe repaye such sommes of monye unto the same Mayor or his deputye as he or they hathe or shall have delivered unto him or them, to that ende to be delivered unto suche persons as shall and will undertake and be bounde to performe the contentes of this order." 21 Eliz. f. 57.

1579, November 2.—"Bicause at the tyme of this election the plague or sicknes is hotte in or neare the streates adjoynenge to St. Edmond's churche, whereby great daunger maye ensue to the Mayor and his bretheren in passinge thither, therefore at this tyme, the extrimtye considered, it is thought convenient that the election be kept in St. Thomas' churche onely for this yeare, and afterwarde yearlye to be kept at St. Edmond [']s churche, as heretofore it hathe bin by custome and auncient order." 21 Eliz. f. 59.

1583, September 15.—Copy of record of proceedings taken by the Mayor against the vintners of the City for the use of unlawful measures, and judgment thereon against the vintners 25 Eliz. ff. 76-7

1585, November 2.—“ Upon Saterdaye, beinge the 9th of October, ^{City of Salisbury.} 1585, Don Antonio, Kinge of Portiugale, with Don Emanuel, the Prince, his eldest son, Don Christopher, his second son, with the Duke of — and others, came to this Cittye, and was receivid by the Maior and his bretherne at the Close Gate in the Highe Strete, and the nexte nighte they with all his companye supped at the Maior's howse and upon Mondeye folowinge toke their jorneye towards the Courte.” 27 Eliz. f. 90, *dorso*.

“ This 2 yeres in Marche ther was a race runned with horses at the Fursyes, thre myles from Harnam Hyll, at the which were dyvers noble personages whose namyes are underwrytten, and th'Erle of Cumberland wan the golden bell, which was valued at fyftee poundes and better, the which Erle is to bringe the same againe the next yere, which he promysid to do upon his honor to the Maior of the Cyty. 227

“ The Erle of Comberlande. The Erle of Warwicke. The Erle of Penbrooke. The Erle of Essexe. The Lorde Chaundowes. The Lorde Thomas Hawarde. The Lorde William Hawarde. Sir Walter Hungerforde. Sir John Danvars. Sir Thomas Wrowghton. Sir William Courtnye. Sir Mathewe Arrendell. Mr. Thomas Gorge, of Her Majestie's Privy Chamber : with dyvers others.” *1b*.

1590, November 4.—“ Yt ys agreed, that wheras ther was a patten granted unto the Right Honourable Sir Francis Walsingham, late principall secretary to Her Majestie and nowe deceased, of the chief stewardshypp of the Corporacion of the Maior and Cominalty of this Cytty, and of an annuitye of 6*l*. 8*s*. 4*d*. by the yeere, that the said office and annuitye shalbe geven to the Right Honourable Sir Chrystopher Hatton, Knight of the most noble Order of the Garter, Lord Chancellor of England, to have and to hold the same office and annuitye in as large and ample manner as the said Sir Thomas hadd, during his natural lyfe.” 32 Eliz. f. 122, *dorso*.

1590, December 14.—“ Yt ys ordered and agreed at this assembly, that shuit shalbe made that this Cytty may be incorporatt and made a county, or other wayes the best way to be gotten for the benefyt of this Cytty, and also that Mr. John Bayley ys appoynted to travel in the shuit therof, and all such charges as shall be layed out therein to be borne by the Chamber.” f. 125.

“ Yt is ordered and agreed that Mr. John Baylie and Mr. Edward Roodes shal have power and auctoritie to travell to London and elswer for the obteyninge and gettinge this Cittie to be a Cittie incorporated and also made a countie, yf yt may be obteyned, and that all suche chardges as shalbe by them defrayed or laid out in and about the same shalbe supported and borne by the Chamber of this Citie. And further authortie ys also graunted unto them, that yf ytt shalbe thought so good by them, to make offer unto the worshipful Mr. John Popham, Her Majestie's attorney generall, of one annuytie or yearly fee of 3*l*. 6*s*. 8*d*. to be geven unto him out of the Chamber of this Cittie, and that upon suche offer and acceptance therof a patent shalbe made, sealed and delyvered unto the said attorney.” 33 Eliz. f. 127.

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1592, October 6.—“Yt is ordered and appoynted that as well every person of the nombre of the xxiiij, not beinge Justices, of this Citie, as also all and every other person and persons of the nombre of the xlvij of this Citie, shall have full power and auctoritie for the common benefitt and preservacion of the health of this Citie, as well to vewe all general anoysances commytted and made within the same Cytie, as well within the ryvers as also other generall places therein, and the same by complaintes to the Mayor and Justices, and otherwise by themselves to their severall power, to redresse.” 34 Eliz. f. 131, *dorso*.

1592-3, January 17.—“At this assemblie a lettre was exhibited from the Right Honorable Sir Thomas Heniage, knight, for the nomination of a burges, which lettre was then inspected and deliberatlie considered of, and appointed with all expedicion to be answered, the tenor of which lettre and aunswere hereafter are expressed.

“After my verie hartie commendacions, Her Majestie for some ymportant causes concerninge the state of this her realme hath sommoned a Parliament: wherefore in regard I am your officer and woulde be glad to shewe myselfe helpfull towards your towne uppon all occasions, I have thought good earnestly to praye you that the nomination of one of your burgesses mayebe left unto myself, who will care for the good of that incorporation, and place suche a one therein as shalbe both sounde in religion and otherwyse soe mete a man for that incorporation’s good as any you can make choice of. So shall you ease the towne of half your charge, and make [me] beholdinge unto you for this courtesie. And soe desyring your present aunswere by this bearer I wishe you all good.—Hampton Courte, the 8th of Januarie, 1592. Your verie lovinge frend, Thomas Henage.” 35 Eliz. f. 133, *dorso*.

1592-3, January 29.—“At this assemblie Mr. Gyles Hutchens, Maior, and Mr. Robert Bower are elected and chosen to be citizens for this Cittie of Newe Sarum to serve for this Cittie at the next Parliament, to be holden at Westminster the nyneteenth daye of Februarie next ensuinge the date herof.” 35 Eliz. f. 134.

1593, July 23.—“At this assembly yt is concluded and agreed, that, whereas dyvers speeches were geven out within this Citie by some of the Bishope’s officers, which doth concerne the derogacion of th’auctoritie of the Maior of the Citie, to the great discontentment of the said Maior and his brethren, that the Maior for the tyme beinge together with Mr. John Bayly, Mr. Weekes, Mr. Newman, Mr. Bower, Mr. Eyer, Mr. Rodes, Mr. Godfry and Mr. Windover, or the more part of them, with the said Maior, shall first make a due collection in writinge comprised into articles and therein shall set downe all our grevaunces, and theruppon the said Maior and others before named, or the more part of them, shall at some convenient tyme by the Maior to be appointed repayre to the Bishopp of Sarum, and ther complaine of those grevaunces which they have conceyved, and throughlie to knowe and understand whether the said Bishopp

will mayteyne and allowe of those grevaunces which shalbe so conceyved and exhibited in writinge unto hym. And if the said Bishopp shall allowe and especyally maynteyne, that the Maior of this Citie ys absolutelie his maior, as others his officers have said, that then uppon farther advise and counsell complaint shalbe preferred against the said Bishopp and his officers to the Lordes of Her Majestie's most honorable Pryvie Councell, and the matter shalbe in that behalff prosecuted before them by the said [Maior] and others his brethern before named, or so many of them as the Maior shall thinke good to accompanye and assist him therin. And that all suche chardges as shalbe therin expended necessarylie shalbe from tyme to tyme allowed owt of the Chamber of this Citie."

"Memorandum, that in the yeare and monethe last above expressed by the synister practizes of John Coldwell, then Bishopp of Sarum, and his complices a commission was procured for the seasinge of the subsidies within the same Citie under the great seale, the which commission conteyned this forme folowinge:—Elizabetha Dei Gratia Anglie, Francie et Hibernie Regina, Fidei Defensor, &c., Reverendo in Christo Patri, Domino Johanni, Episcopo Sarum, Maiori predicti Episcopi Civitatis sue Nove Sarum pro tempore existenti, etc. And then, upon communication and conference hadd therupon by the Maior and his brethren, yt was concluded that Mr. Giles Hutchens, then Maior, shold travell unto the Lorde Keper for that tyme beinge for the reversinge of the said commission: who did presentlie travell unto the Court, and ther complayninge unto the Lorde Keper of the Bishoppe's indirect dealinge in th'obteyninge of the forsaid commission, the Lorde Keper did forthwith graunt a newe commission for the said subsidies accordinge to the former president, title and style in that behalff used, and the same commission was by the forsaid Bishopp, and others commissioners appointed, executed accordingle." 35 Eliz. ff. 135, *dorso*, 136.

1593, November 14.—"Memorandum, that in the daye and yeare aforesaid, beinge the Wensdaye next after St. Martyn's daye, in the which daye the Maior elected of the Cittie of Newe Sarum for the time beinge hath usually taken his accustomed othe for the service of Her Majestie and execution of his office, the persons abovenamed* beinge assembled together to conferr for the common good of the Cittie and especiallie to determine and conclude of and uppon suche disorders as this present daye were offered in the Guyldhall by Francis Vaughan, deputie steward to the Bushop of Sarum, in the Quene's Majestie's law daye in offeringe to Mr. Richard Godfrey, Maior elected, an erronyous othe, whoe in regard of his dutie to Her Majestie refused the same othe, and therfore was rejected and refused to be sworne by the said steward accordinge to the auneynt order and custome. In respect wherof we the said persons above named doe allowe and geve our free consentes that Mr. Richard Godfrey, Maior elected, Mr. Gyles Hutchens, nowe

* Giles Hutchens, Mayor, Richard Godfrey, Mayor elect, certain of the xxiv, and xlviii,

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or late Maior of this Cittie, Mr. Thomas Eyre, Mr. Edward Rodes, Zacharie Lyminge and Thomas Mintherne shall presently travill for the spedie prosecution hereof, and to doe and deale therein for the good of this Cittie as to their discreations shalbe thought mete and convenient; and for all suche chardges as shalbe expended by them in this their travill we will and graunte our free consentes [the said charges] shalbe allowed unto them in the next assemblye to be kept in and for this Cittie." 35 Eliz. f. 138.

1594, September 17.—"It is agreed at this meeting that some advyse be taken to answeere my Lorde Bishop Coldwell as touching joyning in petition with the sayd Lorde Bishop to the Queen's Majestie, or to the Lordes of Her Highness' Councell, to establishe an oathe to the mayors of Sarum nowe in controversie, that there-uppon the answeere be made within three dayes to my Lorde Bishop by Mr. Mayor, Mr. Bower, Mr. Barthilmewe, and Mr. Roades, and any others of this companie that be willinge, etc." 36 Eliz. f. 141, *dorso*.

1595, April 11.—"At this assembly for the accomplishment of a certen order sett downe by the Lordes of Her Majestie's most honorable Privie Councell at the Starr Chamber the 5th day of Februarie, 1594, beinge then present the Lorde Archbishop of Canterburie, the Lorde Keeper, Lorde Buckhurst, Mr. Vice-Chamberlaine and Sir John Fortescue, touchinge the hearinge and orderinge of all matters in question and variance betwene the Reverend Father in God, the Lorde Busshopp of Sarum, and the Maior and Commonaltie of this Cittie, it is therefore concluded and agreed that lettres of substitutions and submission shalbe accordinge to their lordshipes' said orders graunted under the common seale of this corporacion unto Mr. Thomas Grafton, Maior, Henry Newman, John Baylie, Christopher Weekes, Peter Heyward, Charles Wotton, Robert Bower, Richard Gauntlette, Thomas Eyer, Thomas Bartilmewe, John Hobbes, Thomas Bee, Edward Rodes, Gyles Hutchens, Richard Godfrye, Edward Windover, John Puxton and Thomas Minterne, gent., or any six or fower of them, who shall in the behalfe of this Cittie make their repaire to the Courte uppon the Mondaye next ensuinge after Easter weeke, and then and there shall exhibite the same lettres of substitutions and submission; and that they, or any six or fower of them, shall further doe, deale and prosecute the same causes in variance to all suche purposes and intentes as the Lordes of Her Majestie's most honorable Privie Councell shall conclude, order and appointe to be done on the part and behalfe of this Cittie, and that all suche chardges as heretofore hath byn, or at any time hereafter shalbe, expended in and aboute the same shall also be borne and allowed by the Chamber of this Cittie." 37 Eliz. f. 146, *dorso*.

1595, October 24.—"There is graunted unto the Right Honorable Sir John Puckeringe, Knight, Lord Keper of the greate seale of England, the office of Chiefe Stewardshipp of the Corporation of the Maior and Commonaltie of this Cittie of Sarum, to have and to

holde the same for terme of his lyfe, together also with one annuities City of
 or yearly fee of 6*l.* 13*s.* 4*d.*, lawful money of England, payable at Salisbury.
 two feastes of the yere, viz. at the feaste of the Annunciation of
 our Lady St. Mary the Virgin and the feast of St. Michael the
 Archangell, by equal porcions." 37 Eliz. f. 147.

1595, December 10.—“ It is thought convenient for the better
 government of this Cittie that the whole companie of the number
 of the xlvij* of this Cittie shall forthwith devyde themselves into
 three* severall companies, viz. viij* into everie parishe, and take
 viewe of suche houses and dwellinges as are within the Cittie. And
 where they shall finde any houses oppressed with more tenantes or
 inhabitantes then are to be thought convenient in respect of the
 houses, to geve them warninge foorthwith to provide themselves
 elswheres, and to have noe more tenantes or inhabitantes in those
 houses then shalbe thought mete or appointed by the persons
 appointed to make the said viewe, uppon paine for everie hed-
 tenant and undertenant to incurre suche punishment and paine
 as shalbe inflicted upon them." 38 Eliz. f. 150, *dorso*.

1596-7, January 26.—“ It is ordered and agreed that as manye
 as be of the number of the xxiiij shall everie man severallye or
 joyntlye in and nere the streetes where they dwell call unto them
 suche of the number of the xlvij as doo dwell in the same streetes
 or nerest to the same streetes to view and take notice of all newe
 incomers and straungers contrarye to the lawes, and of all baseborne
 children and disordered houses, as tiplers and suche like, as also
 for the streetes and watercourses which be very noysome ; and that
 everie man of this companie doo returne certificatt and information
 what they have doen herein to Mr. Maior and the Justices by Ashe
 Wensday next, being the 9th of Februaire next, for the helpe and
 better government of this Citie." 39 Eliz. f. 153, *dorso*.

1597, November 14.—“ Order is taken for the enquireinge of all
 newcomers, idle and common beggars both younge and olde, which
 are able to worke, that they maye be sett to worcke ; and suche
 obstinate persons as shall refuse to be reformed to be sent to Bride-
 well or otherwyse to be punished accordinge to the lawe, and also
 to require all persons to kepe the streetes and watercourses cleane
 and wholesome before their houses, and that none be suffred to goe
 about the streates a begginge, in performance whereof severall
 ticketts are at this assemblie delivered to diverse severall persons
 to governe in their severall streates." 39 Eliz. f. 156, *dorso*.

1602-3, March 11.—“ Mr. Henrye Byle, late maior, hath brought
 in and delvered unto Mr. James Havilande, nowe Maior of this
 Cittie, the golden bell appointed for the race, and geven to this
 Cittie by the Right Honorable Henry, late Earle of Pembroke,
 and also one golden snaffle lately geven to this Cittie by th'Erle of
 Essex." 45 Eliz. f. 172.

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1603, August 12.—“Yt is ordered and agreed that a cuppe of silver, double gilded and covered, shalbe provided of the valewe of twentie markes or therabouts, and twentie poundes in gould to be putt therein, which shalbe geven unto the Kinge's Majestie, and also that one fatt ox of the price of eight pounds shalbe provided, the which shalbe geven to the Earle of Pembroke.

“Also yt is ordered at this assemblie that the mace shalbe newe guylted, and the Kinge's armes sett or made thereon, and that Richard Chowles and Henrye Oxford shall attend Mr. Maior and his footemen, and to be allowed for theirre apparrell decentlie to be provided accordingle.

“Also yt is ordered that all the fower and twentie shalbe apparrelled in scarlett gownes, and that the eight and fortie, and suche others as shalbe named therunto, shalbe apparrelled in cittizens' gownes with theirre horses and footclothes to accompanye Mr. Maior for the receipte of the Kinge's Majestie.” 1 Jac. I. f. 173.

1603, August 22.—“Yt is ordered that the constables of this Cittie shall provide sufficient men to watche within this Cittie duringe the Kinge's Majestie's abode here, and one of them at the least to watche everye night. And yt is also agreed that lanthornes and candles shalbe sett foreth at each man's doore ymediatelie after eight of the clocke duringe His Majestie's abode in this Cittie, and also that noe carryages of any wares from London shalbe brought into this Cittie or within a myle thereof untill His Majestie be gone from Wiiton.” 1 Jac. I. *Ib.*, *dorso*.

1603, September 16.—Copy of petition to the King, that “the Cittie may be made a countye and soe incorporated with the trades therein for the prevencion of the decaye thereof.” 1 Jac. I. f. 174, *dorso*.

1603, October 17.—“Yt is ordered and agreed, that the Quene shalbe receyved in suche sorte as the Kinge's Majestie was, and a purse with 20*l*. in goulde to be geven her.

“Also yt is agreed, that at the Prince's cominge a purse and 10*l*. in gold shalbe geven, and for his receyvinge otherwise yt is left to the direction of Mr. Mayor as occasion shall serve.” 1 Jac. I. f. 175.

1605-6, January 20.—Giles Tooker “shall by his indevor drawe or cause to be drawne suche necessarye books purportinge a corporacion as in his discrecion shalbe thought meete, and present the same to the Bishop of Sarum.” Tooker is also “with the assistance Mr. Richard Godfrey and Mr. John Paxton” to “prosecute the same from tyme to tyme duringe suche tyme as they shalbe abydinge in London.”

Mr. Mayor and others “or the more part of them, shall at some convenient tyme make theirre repayre into the Close ther to conferr with the Deane and Chapter, or suche of them as are ther presente, and treat with them for theirre consentes to be had and obteyned in and about the procureinge of the sayd corporacion for this Cittie,” 3 Jac. I. f. 193,

1605-6, March 13.—The draft articles of incorporation being in the main disapproved by the Dean and Chapter “yt is nowe further concluded and agreed uppon at this assemblye that Mr. Mayor with th’assistance of some of his brethren shall procure by counsell at the lawe a draught, as well for the incorporatinge of the tradesmen and handye craftesmen of this Cittye and for the avoydinge of strangers, as also for the better strengtheninge and enablinge of the Maior and Commynaltye of this Cittie to call in suche fitt inhabitantes as they shall thinke good within this Cittye to be of the corporacion, or otherwise uppon theire refusall to accepte therof, that yt may be lawfull to and for the said Maior and Commynaltye to impose a fyne uppon everye person so refusinge the same.” 3 Jac. I. f. 198, *dorso*. City of
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1611, July 19.—“Ther shalbe fower warders appointed by the Constables duringe the Kinge’s Majestie’s beinge here within this Cittie to assiste the bedles to restrayne wanderinge strangers, the poore people and others from wandringe and begginge, and to see the peace and good order kepte duringe all the tyme aforesayd, the charges therof to be defrayed as formerlye hath byn done.” 9 Jac. I. f. 214.

1611, November 2.—“Yt is complayned that, where[as] of late, as well the companye of the xlvij have neglected theire attendance uppon Mr. Maior and his brethren to the sermons at the Cathedrall Churche on the Sabbaothe dayes, and the same partlie procedethe of the neglecte of former usuall warninges geven unto them, and partlie for that theire seates appointed for them in the sayd Cathedrall Churche have byn kepte from them by others the inhabitantes of the Close and Cittye, for redresse whereof yt is nowe ordered and agreed uppon that from henceforthe suche ordynarie summons and warninge shalbe geven to the whole companye by the maior’s officers as hath byn heretofore accustomed, and that the sayd officers shall lykewyse from henceforthe be readye in the sayd Churche duringe all the sermon tyme, and theire carefullye and dilligentlie see that the sayd nombre of the xlvij be quietlye placed in theire accustomed seates, and that yf any other person or persons shall wilfullye and stubbornlie refuse to geve place unto the said companye, or any of them, that then and in that case the sayd officers shall make report to the Maior and Justices of this Cittie of everye suche stubbornne refusall, whereby further orders may be taken in that behalfe.

“Also at this assemblye ther is complaynt made of greate disorders, used in the Chappell within the Cathedrall Churche of Sarum appointed for Mistris Mairessse and others the wyves of this whole companye, for that by reason of the multytude of others that do intrude themselves into the same chappell, havinge no ordynary place ther, for the better redresse thereof, yt is ordered and agreed that ther shalbe a good newe stronge locke and key made at the chardge of the Chamber, which shalbe especiallye committed to the custodye of Harry Andrewes, one of the beedles, whoe shall everye Sabbaothe daye attend before the sermon, and be readye ther to lett in the

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maioresse and others the wyves of this company with their daughters, suche as are unmarried, and none others but suche ladyes or gentlewomen as by the consent of this companye shalbe allowed." 9 Jac. I. f. 216.

1612, September 11.—Orders for enforcing strict religious observance of Sunday, authorizing the formation of several trading companies, providing for the repaving of the streets, prohibiting any but freemen of the City to "exercise any trade or occupation or keepe any shop" for such purpose within the City unless first bound apprentice or otherwise warranted according to the Statute of 5 Eliz. c. 4 touching Artificers, Labourers, &c., "uppon payne of forfeiture of 12*d.* to the Mayor and Commynaltye of the sayd Cittye for everye daye" of such offence, and after the 25th day of March, next ensuing, "unless allowed a freeman within this Cyttie by the Mayor and Commynaltye thereof under their common seale, uppon payne of forfeiture for everye daye" of such offence of "the somme of 2*s.* to the uses aforesayd"; prohibiting forestalling, regrating or ingrossing "woode, faggotts, charcoale or seacoale" (save by the overseers of the poor) "uppon payne of forfeiture for everye loade of woode or faggotts and quarter of coale so forestalled, regrated or ingrossed [of] the somme of 3*s.* 4*d.* to the uses aforesayd," prohibiting "after Shrofftyde nexte comminge" the keeping of pigs within the City "uppon payne of forfeiture of 3*s.* 4*d.* for everye weeke that any such pigges shalbe soe kepte," also the permitting "geese, duckes, genyes* or other powltrye to come into the common streats or ryvers of this Citty" upon pain of forfeiture of 2*s.* for every such offence; prohibiting the reception of lodgers without licence of the Mayor and four Justices "uppon payne of forfeiture for every foreyner [of] 2*s.* for everye weeke, and for everye cittizen [of] 12*d.* for everye weeke" of their harbourage as lodgers, prohibiting the letting of houses "to anye foreyner or stranger whiche may be lykelie to be chardgeable to the Citty, uppon payne of forfeiture of 5*s.*" for every month of the tenant's residence; providing, "that noe apprentice whiche shall serve within this Citty shalbe allowed a freeman before he be firste allowed a workeman by the wardens of the companye whereof he shalbe, and be certified to the Mayor of this Citty (unless it shalbe otherwise ordered by the sayd Mayor and his brethren) and thereupon allowed a freeman under the common seale, uppon payne of forfeiture for every moneth anye suche person shall use anye suche arte or trade as a freeman not beinge allowed as aforesayd [of] the some of 5*s.*"; "that twoe persons be yearlie appointed by the butchers and twoe persons by the chaundlers of this Citty, whoe shall yearlie accordinge to the tymes agree on the price of tallowe and candles, and if they shall disagree, or shall not agree on a reasonable price accordinge to the tyme, then the same to be composed by the Mayor and some of the Justices of [the] Peace of this Cyttie uppon conference hadd with them"; "that, no freeman of this Citty shall convey or cause or assent directlye or indirectlye by themselves or anye other to be conveyed

* Guinea-fowl.

any tallowe beyonde the seas uppon payne of forfeiture of everye City of hundred of tallowe, 20s." ; with minor provisions regulating the market and streets, etc. 10 Jac. I. ff. 221-223. Salisbury.

1613-14, March 23.—No foreigner's goods to be weighed save by the "common Ballance, beinge the Kinge's Majestie's beame provided in this Cittye accordinge to the Statute, unless the buyer, seller, and keeper of the Kinge's Majestie's beame doe agree to the contrarye" on pain of forfeiture for every such offence of "10s. to the Mayor and Commynaltie." 11 Jac. I. f. 239.

1615, April 5.—Every citizen not already a member of one of the companies "shall, before the feaste of the Nativitie of St. John [the] Baptiste next, be, or shall offer hymselfe to be, of some companye or other of this Cittye uppon payne of forfeiture of 40s., havinge notice of this order." 13 Jac. I. -f. 246.

1618, July 27.—"No member of the Bakers' Company shall at any tyme from and after the feast of St. Bartholomew th'Apostle next cominge by them, hym or herselfe, or by theire, his or her servaunts or apprentices keepe" within the City "or the subbarbes, precinctes or liberties thereof but one bakehouse and one shoppe for the bakinge of breade or sellinge or utteringe thereof uppon payne" of forfeiture to the use of the Bakers' Company, of 20s. for every week of such offence. 16 Jac. I. f. 264, *verso*.

1619, July 23.—1,200 lb. of powder and 480 lb. of matches to be provided by the City for the use of the County pursuant to order of the Privy Council, "to be in readiness to serve the Countie at meete prices." 17 Jac. I. f. 270.

1621-2, March 8.—Order, "that none usinge any trade, arte, misterye or manuell occupacion within this Cittie shall take any apprentices but suche as shalbe children borne within this Cittie, or in any other Cittie, burroughe or markett towne, uppon payne of forfeiture of five poundes to the use of the poore of this Cittie." Also order, "that none of the inkeepers, alehowsekeepers or victualers of this Cittie doe take any ostelers, chamberlaynes, tapesters or alebearers dwellinge out of this Cittye, uppon lyke payne." Also, "that noe person within this Cittie doe receyve anye journeyman cominge from other places but suche as the master will undertake to dischargd the Cittye of them, uppon lyke payne." 19 Jac. I. f. 285.

1623, July 28.—Innkeepers and others suffering players to play "in their houses back sides or courtes after seven of the clocke in the afternoone shall loose and forfeyte to this corporation, to and for the use of the poore of this Cittye, for everye suche offence, 40s." 21 Jac. I. f. 293.

1623-4, February 16.—"All players from hencefourthe shall make theire plays at the George in Highstrete." 21 Jac. I. f. 301.

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1626, August 3.—The City being now charged with the raising of 100 additional trained soldiers for the King's service, from which burden the laity of the Close are exempt, order that a petition on the subject be presented to the Lord Lieutenant, and also "touchinge our provision of powder, matches and lead." 2 Car. I. f. 309.

1628, August 8.—"Yt is ordered, that from hencefourthe noe man be admitted of any companye untill he shalbe sworne a free cittizen, and no man of anye trade, misterye or occupacion shalbe admitted a free cittizen untill he shall be petitioner to be of some companye into which he wilbe cast in the trade, misterye or occupacion, to which he hath byn apprentice, and shall have a certificate of the wardens of the same companye that he hath served his apprenticeship, or be fitt to be sworne a free cittizen; neverthesse yt is provided and ordered that yf the wardens of any companye shall delaye or refuse to make theire certyficates, and noe certificate of exceptions shalbe preferred to this Counsell against hym from the wardens of any companye, or the master whome he served or any other, that then the Counsell may proceede to make suche petitioner to this Counsell a free cittizen; and yf any objections shalbe made against the admittance of any person to be a free cittizen, the Counsell is to judge thereof and determine the same without delaye. Neverthesse the meaninge is, that yf the trade, misterye or occupacion of suche petitioner be not caste into any companye, that in suche case the Counsell maye fourthwith proceed to admitte hym to be a free cittizen without expectinge anye suche certyficat." 4 Car. I. f. 339, *dorso*.

1629, October 3.—"Ordered, that for the better furnishing of the trayned bonde of 100 souldiers, that the Mayor, Recorder and Aldermen of this Cittye shall eache of them furnishe twoe armes, viz. one corslett and one muskett, and everye one of the eight and fortye shall finde and furnishe eache of them one corslett or muskett, and the residewe of the furniture of the said bonde are to be provided and furnished by the gentlemen and others the best inhabytantes of this Cittye whoe are not of the companye, and for the better furnishing and procuringe of powder and shoot and other charges of the muster the residewe of the inhabytantes of this Cittye, whoe neyther serve nor are chardged with armes, are to be taxed and rated at some small rates to suche purpose." 5 Car. I. f. 348, *dorso*.

1629, November 10.—"Ordered and agreed that yt shall and may be lawful for anye cittizen or townesman to reteyne any carpenter, mason, tyler or laborer inhabytinge within the countye or countrye to worke by the daye or weeke or by greats, unlesse the carpenters, masons, tylers and laborers inhabytinge within this Cittye shall or will worke at suche reasonable rates and wages as the workemen which inhabyte in the countrye will serve for." 5 Car. I. f. 350, *dorso*.

1630, August 4.—Francis Clarke, "one of the eight and fortye," disfranchised for recusancy. 6 Car. I. f. 354, *dorso*.

1630, August 18.—Mr. Caphman, a Protestant refugee from the City of Palatinate to have “2s. a peece of all the 24 and 12*d.* a peece of Salisbury. the 48 duringe his residence heere quarterlye,” to be collected by Mr. Ditton, who “is alsoe entreated to repayre to suche others of this Cittye as he shall thinke fitt for their benevolence alsoe.” 6 Car. I. f. 356.

1634, May 21.—“Ordered, that noe shoemaker inhabytinge or dwellinge, or whiche hereafter shall inhabyte or dwell, within this Cittye, shall at any tyme hereafter buye, or by any other wayes or meanes gett, or procure into his handes or possession, anye bootes, shooes, or pantuffles which shalbe wrought or made out of this Cittye, to th'intent to sell, vent or utter them within this Cittye, or elsewhere, upon payne to forfeyte and loose 5*s.* for everye payre of bootes and 2*s.* for everye payre of shooes or pantuffles which shalbe bought, gotten, procured, sould or uttered contrarye to this order, th'one moytie of which forfeitures shalbe to the use of the Companye of Shoemakers of this Cittye, and th'other moytie to th'use of the poore of the said Cittye.” 10 Car. I. f. 384.

1635, September 11.—“Yt is agreed by the common consent of this company, that if Mr. John Dove, nowe Maior of this Cittye, shalbe questioned, trowbled, or put to any chardge or expence, towching or concerning the rate or taxe by hym made for the raysinge of the summe of 300*l.* appointed and agreed to be rayسد within the sayd Cittye, the severall wardes and members thereof, towards the providinge and furnishinge of a shippe of warr of the burden 700 tunnes for His Majestie's service to be provided by the Countye of Wiltes by vertue of His Majestie's writte bearinge *teste quarto die Augusti iam ultimo*, that then the said Mr. John Dove, nowe Maior, his heires, executors and administrators, shalbe defended and saved harmeles of all losses, chardges, damages and expences by this companye.” 11 Car. I. f. 392.

1636, August 22.—Stringent order against the reception or entertainment within the City of strangers or foreigners otherwise than as apprentices or covenant servants without good security first given to the Mayor and Commonalty for the indemnification of the inhabitants in respect of them; also, against putting the said strangers or foreigners (not being free of the City) in possession of any house, shop or part of any house or shop within the City for the purpose of any art or trade, “uppon payne to forfeite and loose the somme of 10*l.* of lawfull money of England for every suche offence”: also against sending work out of the City to be done in the country, if the same may be “sufficientlye done” within the City, on pain of forfeiture of 13*s.* 4*d.* for every offence. 12 Car. I. f. 397.

LEGER D. IV.

1640-1, January 29.—“It is ordered that there be a committee to peruse all the wrightings, deeds, graunts and charters belonginge to this house, and to make a collection of all suche wrightings which

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concerne the Citty and Close, and the differences betweene them for all kynde of payments wherin the Close refuse to pay with the Citty as formerly they have done, and to make collection of heads of any other matter whatsoever which may tend to the good of this Citty." 16 Car. I. f. 1, *dorso*.

1640-1, March 18.—The said committee to prepare petitions to Parliament concerning the matters referred to it. 16 Car. I. f. 2.

1641, May 24.—“At this councell was read a letter dated the 6th day of this instant May sent with a protestacion made by the House of Commons 5th of May aforesayd, and one other letter sent by Serjeant Hyde; and upon the readinge of the said protestacion every person present at this councell did freely at the same tyme make the sayd protestacion and subscribe their names to a paper annexed to the said protestacion.” 17 Car. I. f. 3, *dorso*.

1642, August 15.—Order, that “whereas divers armes ar delivered into this Citty by Anthony Hinton, gent., being the armes of the Right Honble the Earle of Pembroke,” . . . “the sayd armes shall not be disposed of and ymployed otherwise then Mr. Maior, the Aldermen and Assistants shall thinke fitting.”

Order, “that all and every person of this corporacion and all others, who already have or hereafter shall lend any somme or sommes of mony towards the forfeiting of this Citty either by trenches, chaines, or otherwise, shall have the same duly repaid to them and every of them within one yeare nexte following by the Maior and Commonalty.”

Order for indemnification by the Mayor and Commonalty of “all and every person and persons who already have or hereafter shalbe employed either by labour or otherwise in the forfeiting and makeing good and secure the bounds round about this Citty, which in any wise doe belong to the same, and as in ancient tyme the same hath bene intrenched or otherwise forfeited according to the ancient charters graunted to this Citty for that purpose.”

Order, “in regard of the emynent danger the kingdome now standeth in, that, for and towards the better preservacion of the peace and safety thereof within this Citty, the High Constables of this Citty shall take care to provide an able and sufficient watch and ward throughout the same.” 18 Car. I. f. 8, *dorso*.

1646, May 11.—Robert Hyde, serjeant at law, recorder of the City, being “found incapable any longer to sett in Parliament as a member thereof dureing this Parliament, and having for a long tyme absented himselfe from this Citty” is “with a free and uneanimous consent at this councell” . . . “putt out of his place and office as recorder of this Citty.” f. 19, *dorso*.

1647, April 1.—A petition to be presented to Parliament for the purchase by the Mayor and Commonalty of the estates and liberties, &c., of the see of Sarum. ff. 27, *dorso*, 28.

1647, November 27.—“It is ordered that the corporation seale ^{City of} be fixed to the counterparte of the deede graunted by the trustees ^{Salisbury.} of the Privileges, Courts and Liberties, Bugmore meadows, Milles, &c., unto the Maior and Comminalty of this Cittie.” f. 33.

1647, December 31.—“It is ordered that a letter be sent to the Assembly of Divines to desire them that such course maye be taken that the Mynistors of this Cittie maye not be removed from theire severall charges within this Cittie; and that course maye be taken for the farther inablinge of them to remayne within this Cittie.” f. 35.

1647-8, January 14.—“A petition to be drawne and presented to the Parliament for the setlinge of the maintenance for the Ministers within this Cittie, and the same to be presented by Mr. Richard Hart, and the chardges thereof to be satisfied by the severall parishes, and farther that severall letters be written to the Prolocutor of the Synod, and to such other members of the house as the Maior and Comminalty shall thinck fit, for the promotinge the said petition.” f. 35, *dorso*.

1649, May 25.—Order, for “the purchasinge of certaine houses, late the Deane and Chapter’s lands, lyinge in the Close, for the Ministers.” f. 44.

1649, July 27.—“Ordered that the surveyor for the Deane and Chapter lands be treated withall, that an allowance maye be made out of the profitts of the Deane and Chapter lands for the auncient paye of 6s. 8*d.* a weeke to be distributed in breade to the poore.” f. 45, *dorso*.

1650, July 15.—A petition to be presented to Parliament “for the future settlement and maintynance of the Ministers.” f. 54, *dorso*.

1650, October 30.—The Mayor, Recorder and Aldermen to pay 12*d.* a piece quarterly and the Assistants 6*d.* a piece quarterly towards “the defrayinge of the chardge for the Wensdaye lecture.”

Collectors to be appointed, “not onlie to receive the same, but also to gather the benevolence of those who shall be mynded to contribute thereunto who are not of this company.” f. 59.

1654, June 29.—“At this Councell the warrant sent from the sheriff touching the election of two members of parliament for this Citie was reade, and upon debate concerning the manner of election of the said two members it was carried by the major parte of the Councell, that the said election be made by the Maior and Comminaltie of this Citie in the usual place, being the Councell House, and upon the 10th day of July next betweene the hours of 9 and 12 of the same day.” f. 82.

1655-6, January 14.—A petition to be presented to the Lord Protector for the “renewing and confirmation of the former charters graunted to this Cittie.” f. 90.

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1658, October 20.—Order, “that all tradesmen within this Citty, and all others inhabiting therein and usinge any art, trade, mistery or occupacion,” not being freemen of any of the companies, “shall cause themselves respectively to be made free of some or one of the said companies at or before the 25th day of March nexte ensuinge, upon paine that every person offendinge therein shall forfeite to the use of the Maior and Comminalty of this Citty the summe of 10s., and also to forfeite as aforesaid the lyke summe of 10s. for every month after” such neglect or refusal. f. 110, *dorso*.

Any person selling “wooll, yarne or cheese within this Citty” and causing or suffering “the same to be weighed at any other scales and weights then by those appoynted to be the publique and common weights and scales” . . . “shall forfeite to the use of the Maior and Comminalty of this Citty for every such offence 1s.” *Ib*.

Proclamation to be made for the calling in brass farthings unlawfully minted and uttered within the City. Persons setting the proclamation at nought to be required to enter into recognizances to appear at the next general sessions of the peace to be holden for the said City to answer for their contempt. f. 111.

1658, October 30.—“Whereas on the 24th day of this instant October the common seale of this corporacion was with other things stolen away out of the Councill House, whereby there is at present a greate want thereof, it is ordered at this Councill that a newe seale be forthwith made; the same to be of such stampe and compasse as the committee of the Chamber revenue shall thinke fitt, whoe are to take a viewe of the former seale’s impression, and make the newe as neere to the former as may be, but with some addicion, as the date of the Lord, and what alsoe shalbe thoughte fitt by the said committee.” *Ib*.

1658-9, January 3.—It is ordered that the order made the 29th day of June, 1654, for eleccion of citizens for the Parliament be confirmed, and that for the future it bee observed that such whoe shalbe chosen to be citizens for Parliament as for this Citty, such persons to be chose by the Maior and Comminalty of this Citty, and not by any other vote or eleccion whatsoever.” f. 112, *dorso*.

1658-9, January 6.—The new seal, “cutt and made by Anthony Wilkenson . . . beinge the Citty armes with an inscription, that is to say, the Citty of New Sarum, 1658, is at this Councill approved off, and ordered to be the present seale of this corporacion until order to the contrary.”

“Mr. Thomas Abbott is desired to procure a stampe for brasse farthings to passe within this Citty, and to disburse in such farthings 5*l*., which shalbe repaid him by the Chamberlen, the stampe to be the same as the common seale is, nowe made and ordered to bee the common seale of this Corporacion, and to adde on the same stampe on the other side the played eagle.” f. 113.

1659, August 11.—“Whereas amongst other things mencioned in the Act of Parliament dated the 12th day of July 1659, and intituled

an Act of Indemnity, the clause hereafter expressed is thereby enacted (that is to say): Provided also that this Acte shall not extend to make good or confirme the graunte of any office or place of trust given or graunted or pretended to be given or graunted by patent, charter or otherwise since the 29th day of Aprill, 1653, and before the 7th day of May, 1659, but that all such bee and are hereby declared to be in the disposall of this Parliament. And whereas alsoe the Parliament in pursuance of the said clause and power in them thereby reserved did on the 2nd day of August, 1659, order as followeth (that is to say) that the Maior and Comminalty of the Citty of Newe Sarum be and are hereby required and authorized to act as maior and comminalty of the said Citty and accordinge to their olde charter, and that they do forthwith bring in their newe charter to this house and deliver the same upp to be cancelled. By which said order and clause the late charter graunted to the Maior and Comminalty of the City of Newe Sarum by Oliver, late Lord Protector, and all thinges therein mencioned is become null and void, and thereupon we, whose names are hereafter mencioned, resuminge our former places of publike trust within the City aforesaid by force of the severall Charters graunted to the Maior and Comminalty of the City of Newe Sarum by the late Kinges, Kinge James and Kinge Charles, doe hereby declare ourselves together with all others whoe were of the Common Councill of the said Citty by force of the twoe last recited Charters at or upon the 10th day of September, 1656, and nowe absent, to be the present Common Councill of the Citty of Newe Sarum."

Lists of aldermen and assistants present and absent. ff. 115, *dorso*, 116.

1660, June 14.—"Mr. Maior delivered in His Majestie's writt of mandamus for restoringe of Sir Robert Hyde, knight, to his place of Recorder of this Citty.

"Sir Robert Hyde, knight, is with a free consent restored to his former place and office of Recorder of this Citty."

"Ordered, that the sword and capp of maintenance be broughte into the Councill House to be sold or otherwise disposed off as the Councill shall thinke fitt." f. 120.

1660, December 17.—The Bishop to be acquainted "with the purchase the towne made of the right of kepinge of courts togeather with their other purchases."

In answer "the Bishopp desired the officers mighte have freedome to keepe the Courts in the usuall places in the Guildhall, and their makinge use thereof should be noe prejudice to the Citty in their composicion for their severall privileges." f. 123, *dorso*.

1660, February 6.—Ordered, "that the Kinge's armes be newe sett upp at the Citty's charge in such manner as it was before the defacinge thereof on the North side of the Close Gate in Highstreete.

"Ordered, that the race cupp be forthwith provided, and that Mr. Ivy be intreated to procure the cupp to be had in due tyme before the race, and the Chamberlen is ordered to see payment made for the said cupp." f. 125.

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1662, October 4.—“The Righte Honble Edward, Earle of Clarendon, Lord Chancellor of England, is unanimously elected and chosen High Steward of this Citty, and it is ordered that for that purpose a patent be made and sealed to his use, wherein is to be inserted an annual fee of 20 nobles to be paid him.” f. 137, *dorso*.

1665, June 29.—“Ordered and agreed, that the summe of 100*l*. be forthwith borrowed for the provideinge of presents in plate and money to be given to the King and Queene’s Majesties at their comeinge to this Citty, and the repaymente therof is to be secured by the seale of this Corporacion, and to be provided and done as Mr. Mayor and the Committee of Revenue shall advise and thinke fitt.

“That Mr. Mayor and the Committee of Revenue doe also consider and resolve what to present to the Duke of Yorke, either by a peece of plate or money, when he comes to this Citty, and Mr. Mayor is desired to disburse and pay the fees that shalbe due to the officers and servants to the King and Queene’s Majesties, and likewise to pay for the amending of the great mace borne by the chiefe sergeant of this Citty. And it is ordered that the summe of 50*l*. more be borrowed towards the defrayeing of the said charges, to be also secured by the seale of the Corporacion for repayment therof; and that Mr. Mayor be allowed upon accompt what he shall disburse therein over and above the said summe of 150*l*. And it is ordered and agreed that the value of the plate or presents to be given to the King, Queene and Duke shall not exceed the summe of 140*l*.

“Also it is ordered, that all the Aldermen, who have bene Mayors of this Citty, doe attend Mr. Mayor in their scarlett gownes at the comeinge of the King, Queene and Duke of Yorke to this Citty, and that all the rest of the Company of the Common Councell doe then likewise attend the Mayor in their gownes proper according to their places.” f. 159.

1665–6, March 23.—“Upon reading of His Majestie’s lettre for loane of moneyes to be paid into the Exchequer upon security of the late Act for 1,250,000*l*. as a supply to the Royal aid, Mr. Mayor, Mr. Recorder and the Aldermen of this Citty are desired to hasten subscripcions, and in order to that end to meete frequently, and to send for such persons and companyes as they shall thinke of ability to lend.

“Memorandum, that by reason of the plague which soone after followed in this Citty nothing could be done thereon for raying any money by loanes.” f. 162.

Bills of charges and disbursements in recepcion of the King’s Majestie last summer.

For one basin and ewer and fower flagons 156*l*. 3*s*.; and for mendinge the mace 3*l*. 10*s*. The basin and ewer were presented to the King, and two of the flagons to the Queene. And the Duke of Yorke not comeinge to this Citty, the two flagons intended for him were returned to Mr. Thornburgh, who allowed for them 37*l*. 10*s*. Soe that Mr. Thornburgh received the two flagons and 122*l*. 3*s*. in money.

Fees of homage demanded to be due to the King's servants from ^{City of} each High Sheriffe and Chiefe Magistrate of every Corporacion ^{Salisbury.} through which His Majestie first passeth, viz. :—

	<i>l.</i>	<i>s.</i>	<i>d.</i>
4. To the Gent. Ushers Day Wayters ..	5	0	0
4. To the Gent. Ushers of the Privy Chamber ..	5	0	0
8. To the Gent. Ushers Quarter Wayters ..	1	0	0
16. To the Sergeants at Armes ..	3	6	8
1. To the Knight Harbinger ..	3	6	8
1. To the Knight Marshall ..	1	0	0
8. To the Sewers of the Chamber ..	1	0	0
1. To the Yeomen of the Wardrobe ..	0	16	8
6. To the Groomes and Pages of the Wardrobe ..	1	0	0
7. To the Sergeant Trumpett and office ..	3	16	0
8. To the Yeomen Harbingers &c. ..	1	0	0
4. To the Yeomen of the Mouth ..	2	0	0
6. To the Pages of the Presence ..	0	10	0
14. To the Yeomen Ushers ..	1	0	0
14. To the Groomes of the Chamber ..	1	0	0
12. To the Footmen ..	2	0	0
4. To the Coachmen ..	0	10	0
1. To the Yeoman of the Field ..	0	10	0
4. To the Porters at Gate ..	1	0	0
1. To the King's Jester ..	0	10	0
1. To the Surveyor of the King's wayes ..	1	0	0
125 persons concerned ..			
Summe totall is ..	£36	6	0

which summe was received of Mr. John Joyce, Mayor, by Thomas Duppa, Gent. Usher, Collector. f. 163.

1666, September 27.—Election of mayor and other officers held by royal licence in the Close of the Cathedral as less infected with the plague. f. 164.

1668, May 16.—“The pesthouse to be taken downe and the bricke and materials, or the house itselfe as it stands, to be solde.” f. 170.

1668, August 12.—“Ordered, that the Lord Bishop of Sarum be attended touching the reviving and continuing of the Wednesday's Lecture at the parish church of St. Thomas as formerly (the same having bene already mocioned and proposed by his lordship) and for the mayntenance and defrayeing of the charge of the preacher's dinner and expenses on the lecture day weekly.”

“Agreed that the Aldermen of this Citty doe every of them contribute and allowe 12*d.* quarterly, and every of the Assistants 6*d.* quarterly, as a voluntary contribucion.” f. 171, *dorso*.

1669, June 12.—“Forasmuch as it is now informed that divers persons of the parish of St. Edmond and others of this Citty, who doe absent themselves from the church, doe alleadge or pretend, that one reason of their meetings at private houses on Sondays

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in the morninge is because they have then noe sermons at their parish church; wherewith the Lord Bishop of Sarum beinge made acquainted, his lordship hath signified, that such persons shall or may have sermons every Sondag morning either at St. Edmond's or St. Thomas' church, if they will agree with any such sufficient preacher as his lordship shall approve, and give him a competent stipend or allowance for his paines therin, and resort and come to prayers and sermon there. And it is therupon now thought fitt and ordered by this Councell that the churchwardens doe give or procure publiq notice herof to be given in the parish church, and also move it at their vestry to the intent that the persons aforesaid may be treated withall therein, and be left without excuse in that respect, or reduced to conformity as is required." f. 176.

A commission under the great seal "obtaind in order to the making the river navigable from Christchurch to this Citty." *Ib.*, *dorso*.

1671, July 23.—"Ordered, that a banquet of sweetmeats with wyne and other things fit and convenient be provided by Mr. John Priaulx, the Chamberlaine, for the entertaynment of the King's Majestie at his coming to this Citty to-morrow in the evening or the next day as His Majestie shalbe pleased to accept and appoint the same." f. 186.

1672, August 30.—The Earl of Shaftesbury elected High Steward in succession to the Earl of Clarendon disabled by Act of Parliament. f. 190.

1672, November 25.—"Sir Richard Grobham Howe, of Wishford Magna in this County of Wiltes, knight and Baronett, appeared and desired to be admitted a free cittizen of this Citty, and was freely received and admitted, and tooke the oath of a free Cittizen, and thereupon gave voluntarily to the use of the poore people of this Citty the summe of 10*l.*, which is delivered into the hands of Mr. Mayor, to be disposed or bestowed accordingly."

"At this Councell it was alleadged that heretofore divers persons of this Citty have been irregularly admitted free cittizens by the Committee of Revenue without order or assent of the Common Councell; neverthesse it is now ordered that such admittances as are already past are and shalbe allowed, but that from henceforth there shalbe noe more free cittizens admitted without special order of Councell first had and obtained." f. 193.

1673, October 30.—"Ordered, that Mr. John Greenhill, of London, is to be desired to attend the now Lord Bishop of Sarum in order to the draweing of his lordship's picture to be sett up in this Councell House." f. 199, *dorso*.

1674-5, March 20.—The Earl of Clarendon to be apprised by letter "concerning the making the river of Avon navigable [from Christchurch] to this effect, viz., that the Chamber upon their owne accompt will goe one quarter parte of the charge that bee

expended about the said worke, and that they doe designe to elect trustees to act for them according to the most racional methods as shall bee proposed or found most expedient for the doing therof." City of Salisbury.
f. 207, *dorso*.

1675, July 30.—“Resolved, upon the reading of Mr. Samuel Fortrey's Reasons touching his survey of River Avon and making the same navigable, that the same shall be made navigable, and that the Mayor and Comminalty of this Citty shalbee undertakers and shallbe concerned 2,000*l*. in the worke, includeing the charge the Chamber hath beene already at.”

Committees of management and finance appointed.

Vote of thanks to the Bishop “for his lordship's great paines in going to Christchurch about the affaires of the river.” f. 212.

1675, September 20.—Report from the committee for the Navigacion, “that Mr. Fortrey demanded 500*l*. to be paid unto him, 50*l*. a quarter till halfe the said summe is soe paid, and if the said river be not finished in 5 quarters of a yeare, then that he expects noe more money from thencefoorth untill the worke be wholly finished.”

Order, “that the said Committee shall hereby have full power further to treat and agree with Mr. Fortrey touching the same.” f. 214.

1675, October 19.—The Bishop of Sarum, the Earl of Shaftesbury, Sir John Nicholas, the Earl of Clarendon, the Bishop of Chichester, Sir Eliab Harvey, William Chiffinch, Esq., to be apprised by letter “of the great worke of the navigation undertaken by this Corporacion and of the vast charge they are like to be at about it in hopes that they will be pleased to lend their assistance to so good and publick a worke.” f. 215.

1675, November 22.—“Ordered, that Mr. Fortrey doe proceed in cleanseing the shallowes in the river so farre as Crane Bridge within this Citty.” f. 216.

1675-6, January 4.—The wears to be opened. f. 217.

1676, June 28.—Cleansing of the shallows to be proceeded with, and locks to be made. f. 220.

1677, May 9.—For lack of funds, ordered “that this Councill shall not proceed further in the said worke [of rendering the river navigable] this summer, unlesse they may have such assistance by benefactors as may enable them thereunto.” f. 227.

1677, June 14.—Proposal by certain persons to complete the work “for the carriage of a boat or barge of 10 tunnes” the undertakers to “have the whole profits of the river to them and their heirs for ever,” redeemable by the Mayor and Commonalty within 21

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years after the completion of the work on payment of the expenses of completion with interest thereon at 10 per cent. per ann. f. 228.
Proposal accepted.

1677, November 29.—“ This Councill haveing lately purchased and gotten a large picture of His nowe Majestie King Charles the Second, it is ordered that the lesser picture of His said Majestie, nowe being in the Councill House, be sold to Mr. William Clemens for a guinea which he nowe offered to give and pay for the same.” f. 230, *dorso*.

1681, April 22.—“ This Councill being very sensible of the great danger lately happened by fire within this Cittie, and that engines might be a great meanes (under God) to stopp and prevent the encrease of it for the future, Mr. Mayor is therefore desired to appointe two or more persons in each parish to see what money the respective inhabitants will freely give and contribute towards the procuring of engines.” f. 245, *dorso*.

1681, April 30.—Copy of letter of this date from Sir Leoline Jenkins conveying the King’s “ hearty thanks ” for the Mayor and Commonalty’s late loyal address. f. 246, *dorso*.

1682, April 22.—A committee appointed “ to draw up an abhorrence of the horrid *Association* late printed and published, to the intent the same may be presented to His Majesty, the same being first produced and allowed att a Common Councill of this Cittie.” f. 252.

1682-3, January 26.—The Earl of Clarendon elected High Steward of the City. f. 254, *dorso*.

1684, September 9.—“ Ordered, that a treat of sweetmeats and wine be provided at the Councill House by the Chamberlain for the entertainment of His Royal Highness James, Duke of Yorke, and his Dutchess, and the Prince and Princess and such of the Royal family and Court as shall be pleased to come and visit this Cittie dureing His Majesty’s continuance at Winton.”

“ His Royal Highness James, Duke of Yorke, and His Highness George, Prince of Denmarke, were pleased to honour this Cittie by accepting their freedome of this Cittie.” f. 264, *dorso*.

1684, September 25.—“ Ordered that the Charters granted to this Cittie by His present Majestie and his predecessors be surrendered unto His Majesty’s hand ” “ with an humble petition that His Majesty will be pleased to grant to this Cittie a new Charter with such liberties, restrictions and priviledges as His Majesty in his Royal wisdome shall thinke fitt.” f. 265, *dorso*.

1684-5, February 9.—Memorandum that on this date His Royal Highness James, Duke of Yorke and Albany, was proclaimed King of England in this Cittie. f. 267, *dorso*.

1685, August 2.—“At this Councell Henry Hedges, Thomas Bennett and Thomas Dennett, gent. (haveing formerly agreed with this Councell to be undertakers for makeing the river Avon navigable) produce dcommissions under the great seal of England dated the 7th of April last past.” f. 270. City of Salisbury.

1686, August 27.—“His Majestie being now in his progress in the West, and being expected to come and lodge at Wilton tomorrow night, and to come from thence thro’ this Citty on Sunday (it being the first time after His Majestie’s accession to the crown) it is now ordered, that a present of one hundred guineas be humbly made to His Majestie from this Citty, and likewise that the fees of homage claimed by His Majestie’s officers and servants att his first coming to this Citty be paid unto them, if demanded.” f. 276, *dorso*.

1687, December 17.—“By vertue of an order of His Majesty’s Privy Councill bearing date the 27th day of November last past Mr. George Clemens is now displaced from being Mayor and Alderman of this Citty, Mr. Oliver Shergold, James Harris, John Priaulx, Andrew Baden, William Clemens, William Batt, Thomas Haskett, William Viner, Charles Viner, Thomas Hunt and John Coleman from being aldermen, Mr. Robert Cutler, Henry March, Paul Batchellor, Daniel Stockwell, Arthur Batt, Walter Pope, Edward Essington, Richard Hill, James Ely, Benjamin King, John Langly, Edward Edmonds, Edward Thistletwayt, Thomas Goddard are displaced from being common-councell-men and John Strong is displaced from being towne clerke. And by vertue of His Majestie’s mandamus, bearing date the 28th day of the same moneth of November, directed to the Recorder or deputy, Aldermen and Corporacion of the Citty of New Sarum, to will and require them forthwith to elect and admitt of Mr. Nicholas Parsons to be mayor and one of the aldermen, Doctor Daniel Thomas, George Masters, Thomas Taylor, John James, Simon Rolph, *alias* Rolfe, William Awbery, John Feake, Robert Antrum, senior, John Harrison, John Hilary and William Barnes to be aldermen, William Wilkinson, Christopher Batt, Daniel Hunt, Josiah Rolfe, George Harris, senior, Robert Hill, John Masters, Robert Antrum, junior, John Cooper, Thomas Harrison, James Samborne, Oliver Smith, senior, William Antrum, junior, and William Shadwell to be common-councell-men, and John Powell to be towne clerke, the Aldermen and Common-Councell-men now present, in pursuance of the aforementioned letters mandate, elected all the persons required to be elected and admitted except Dr. Daniel Thomas, there being no such person within this Citty.” f. 281, *dorso*.

1687-8, March 14.—“At this Councill His Majestie’s Order in Councill bearing date the 11th day of February, 1687, was read, whereby he requireth us to elect and admitt Mr. Richard Cole to be towne clerk. And Mr. Mayor putt the question that all that were for the election should sett still, and those that were against it should stand up. So by the major parte he was elected and sworne.” f. 282, *dorso*.

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1688, October 27.—List of members and officers of the Corporation restored to office in pursuance of “His Majestie’s Proclamacion within this Citty dated the 17th of October inst., intituled a Proclamacion for restoring Corporacions to their ancient Charters, Liberties, Rights and Franchises,” and of His Majestie’s Orders in Councill for the discharge of all members and officers in corporations who claim by vertue of any charter or patent since the year 1679,” the persons restored “in pursuance of the power reserved to His Majestie in his late Charter,” . . . “being officers and members of this Corporacion at the date of the deed or surrender of the Charter into His Majestie’s hands, *scilt.*, 13 Oct., 1684.” f. 288, *dorso*.

1688–9, January 14.—“At this Councill Thomas Hoby, Esq., and Gyles Eyre, Esq., Recorder, are elected, nominated and appointed the two citizens to serve for this Citty in the Convention to meet and sitt at Westminster the 22nd of this instant January in pursuance of a lettre from His Highness the Prince of Orange bearing date the 29th of December last.” f. 291.

1688–9, January 26.—“Upon reading Mr. Recorder’s letter directed to Mr. Mayor intimating that the last eleccion of members to serve for this Citty in the Convention now sitting att Westminster is likely to be contested, and that Samuel Eyre, Esq., and David Thomas (who were then chosen by the freeholders and inhabitants of this Citty) have already preferred their petition to the House for that purpose, and that the same is referred to a committee of elections; it is thereupon ordered by this Councill that Mr. Mayor shall be saved harmelesse and kept indemnified from all costs, charges, damages and expenses, which he or any other person or persons who shall be employed in the defending the right of this Corporacion shall be putt unto for or by reason of the contest aforesaid and the retorne thereupon.” f. 291, *dorso*.

1689, May 30.—“By vertue of a precept under the seale of office of John Wyndham, Esq., dated the 23rd of May instant . . . Thomas Pitt, Esq., is elected and appointed a citizen to serve this Citty in this present Parliament now sitting att Westminster in the room and place of Gyles Eyre, Esq., Recorder of this Citty, lately removed to be one of their Majestie’s Justices of the Court of King’s Bench.” f. 292.

1689–90, February 26.—Thomas Hoby and Thomas Pitt “nominated, elected and chosen to be the two citizens to serve for this Citty in the next Parliament to be begun and holden att Westminster on the 20th day of March next ensuing.” f. 296.

1691, November 18.—“Ordered, that Mr. Richard Hill, chamberlain, doe provide a treat att the Councill House on the 26th of this moneth, being the Thanksgiving Day appointed by their Majestyes for His Majestye’s success in the conquest of Ireland and for the preservation of His Majestye’s person in his expedition in Flanders, not exceeding 6*l.* to be spent.” f. 301, *dorso*.

1692, November 16.—“Ordered, the Committee of Revenue doe inspect the Articles of the Navigation [of the Avon] and report their opinions to the next Councill, whether the said river be now made navigable according to the said articles.” f. 304. City of
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1693-4, March 3.—“Ordered, that Mr. Thomas Abbott, chamberlin, doe pay into the hands of Mr. Thomas Goddard, alderman, the summe of five pounds towards the buying a peice of plate for the encouragement of gentlemen for running the heates this year in May next on Salisbury Plain, to be added to such other money as the said Mr. Goddard hath already collected or shall collect for that purpose.” f. 309, *dorso*.

1694, September 27.—“Ordered, that the Chamberlin doe procure the picture of His Grace the late John, Duke of Somerset, and that the same be paid for out of the Chamber Revenue, his grace having been a worthy benefactor to the poor of this Citty.” f. 311.

1694-5, January 28.—Address of condolence to the King upon the death of the Queen approved. f. 312, *dorso*.

1695, November 13.—“Ordered, that the matter now proposed and debated touching the makeing the River navigable be further considered by the Committee of Revenue.” f. 316, *dorso*.

1695-6, March 3.—Address of congratulation to the King upon the “preservacion of His Majestie’s sacred person from the late intended assassination conspired against him by his malicious enemies,” approved. f. 317, *dorso*.

“The Association lately entered into by the members of the honorable House of Commons “read and ordered to be ingrossed in parchment.” Members of Council “desired to meet at the New Councill House to morrow at four in the afternoon to sign the same.” f. 318.

1696, April 9.—“Ordered, that the Chamberlin doe provide a treat in wine at the Councill House on Thursday next, being the solemn day of Thanksgiving appointed to be observed for the happy deliverance of His Majestie’s Royal person from the late intended assassination by Papists and other disaffected persons, and also from the late intended invasion from France designed to overthrow the government, laws and liberty of this Kingdome, and that he expend not above the summe of eight pounds.” f. 318, *dorso*.

1697, November 17.—“Ordered that the Chamberlin do provide a treat of wine att the Councill House on the Thanksgiving day shortly to be appointed upon the account of the late Peace concluded with the French King and of His Majestie’s safe arrival into this Kingdome, not exceeding ten pounds.” f. 325.

City of Salisbury. 1697, November 24.—Address of congratulation to the King approved. f. 325, *dorso*.

1699–1700, January 4.—A petition to be presented to the House of Commons “that the bill now depending in that honorable House for making more effectually the Act for making the River [Avon] navigable from Christchurch to the City of New Sarum may passe.” f. 334.

1700, July 27.—Precedence of the Mayor before the Sheriff of Wilts, “within the Close of Sarum in their passage to and at prayers and sermon there” affirmed by Sir John Powell, Justice of the Common Pleas. f. 336, *dorso*.

1701, October 29.—An address to the King “in abhorrence of the French King’s proceeding in proclaiming the pretended Prince of Wales to be King of His Majesty’s Kingdoms and dominions,” approved. f. 340.

1702, November 18.—“Ordered, the Chamberlin provide a treat at the Council House on the Thanksgiving day to be observed on the 3rd of December next, not exceeding 10*l*.” f. 344, *dorso*.

1704, September 28.—“An address to Her Majesty congratulating her on the late glorious successes of her armes,” approved. f. 349, *dorso*.

1705–6, February 25.—“Ordered, that the By-Law following be passed into an Ordinance at this Council:—

“Whereas by the ancient customs, franchises and liberties of the City of New Sarum in the County of Wilts no person, not being free of the said City, or having served as an apprentice within the said City for the space of seven years, may or ought to sell or expose to sale any wares or merchandizes within the said City by retail, or keep any open or inward shop or other inward place for sale or exposing to sale of any wares or merchandizes by retail within the said City, or exercise any art, trade or mystery within the same City; and whereas diverse strangers and foreigners from the Liberties of the said City, and persons that have never served as apprentices within the said City, not regarding the said ancient franchises, customs and liberties of the said City, but intending their private gain and profit only, have of late years presumed to sell and expose to sale their wares and merchandizes, and to keep shops, and to use arts, trades and mysteries within the said City and Liberties of the same, to the great detriment and prejudice of the freemen of the said City, and of such persons as have served apprenticeships therein; for remedy thereof it is ordained and established by the Mayor and Commonalty of the said City in Common Council assembled, that no person whatsoever, not being free of the said City, or having served as an apprentice within the said City by the space of seven years, shall at any time after the first day of May now next ensuing by any colour, way or means

whatsoever, directly or indirectly, by himsele or any other, use or exercise any art, trade or mistery by selling or exposing to sale any wares or merchandizes whatsoever by retaile within the said Citty, or shall keep any shop or other place whatsoever, inward or outward, within the said Citty for selling or exposing to sale of any wares or merchandizes whatsoever by retail, or shall otherwise use any art, trade or mistery whatsoever within the said Citty, upon pain to forfeit to the Mayor and Comminalty of the said Citty the summe of five shillings of lawfull money of England for every time wherein any such person shall use or exercise any art, trade or mistery by selling or exposing to sale any wares or merchandizes within the said Citty, or keep any shop or other place, inward or outward, within the said Citty for sale or exposing to sale of any wares or merchandizes whatsoever by retaile, or shall otherwise use any art, trade or mistery whatsoever within the said Citty contrary to the true intents and meaning hereof; all which paines, penalties, forfeitures and summes of money to be forfeited by vertue of this Act and Ordinance shall be levyed by distress, or to be recovered by accion of debt in the name of the Mayor and Comminalty of the said Citty." f. 356.

City of
Salisbury.

1706, December 16.—“Ordered, that a treat be provided by the Chamberlin on the Thanksgiving day next, not exceeding five dozen of wine, and that in case more be provided it shall not be allowed him on his account.” f. 364, *dorso*.

1706-7, February 24.—“Ordered, that Mr. Recorder be desired to gett a clause in the Act for regulateing nightly watches, empowering the Mayor and Justices to appoint a watch att winter and summer in the Citty of New Sarum, and likewise a clause empowering the Mayor and Justices in their discretion to raise money not exceeding thirty pounds per annum by a rate for placing lamps in convenient places within the said Citty.

“At this Councill Mr. Mayor is desired to prohibite all stage players, mountebanks and other persons with shews from comeing to make any stage within this Citty.” f. 365.

LEGER E. V.

1729, September 17.—“This Council, considering the great advantages would arise to this City and County by making the River Avon navigable, in order to encourage so good a work, doth resolve and agree to remitt all arrears due to them on that account till the same is made navigable, provided the navigation be perfected in five years from the date hereof, that the members of the Corporation have the first offer of subscribing for shares, and that the first payment be made of the annuity to the Corporation the day the first barge comes up. And it is further agreed that, if the work be not compleated in 5 years, on payment of 20*l*. a year to the Corporation the undertakers may proceed. And it is agreed that there shall not be above 100 nor under 60 shares.” f. 30, *dorso*.

City of
Salisbury.
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1730, September 23.—“Resolved, that, the inheritance of the navigation between Christchurch and Salisbury being vested in the Mayor and Comminalty, this Council will convey a term of 1,000 years to such purchasers as shall go on effectually with the work, reserving to themselves twenty pounds a year, taxes free; but no conveyances to be executed till the Common Council approve of what limitations and restrictions are proper.” f. 36, *dorso*.

With this the last minute on the subject of the navigation of the Avon this Report may fitly close, the contents of the Legers being henceforth of merely local interest.

J. M. RIGG.

RECORDS

OF THE

DISSOLVED CORPORATION OF ORFORD, SUFFOLK.

THE small, but interesting, town of Orford dates back in its municipal history to the time of Henry III., who granted it to his men of the place to hold under the Crown at a fee-farm rent, excepting the Castle, the central tower of which still stands up in grand massiveness, showing externally few marks of decay. Confirmations of this original, but lost, charter were granted by successive sovereigns down to James I., enlarging privileges and powers, and establishing a corporation of Mayor and Commonalty. The fishery trade flourished, and became sufficiently important to enable the town to enter into an agreement with Newcastle-upon-Tyne with regard to duties levied there, as well as to contribute to the providing and putting forth a ship for the Royal Navy. But, as with others of the small ports on the east coast, so with this, which was always at some comparative disadvantage by its situation on the river Ore; its trade, and consequently its population and wealth, diminished. First, it lost its Members of Parliament, who had become merely the nominees of the Lords of the Manor, and then in 1886 the abolition of its Corporation came by the Municipal Corporation Act of 1883, in default of any application for a new Charter. As neither the population nor the revenues justified such an application, in due course the Corporation was dissolved, and the administration of the property provided for by a scheme framed by the Charity Commissioners entitled *The Orford Town Trusts*.

Of the Records here described the Charters and Registers are (pending the completion of a Strong Room in the Town Hall) in the custody of the Clerk of the Trustees, formerly the Town Clerk, Mr. Henry C. Casley, at Ipswich, to whom the writer is indebted for all possible facilities in the examination of them in his office. The early deeds and miscellaneous papers are preserved in an iron chest in the Town Hall at Orford, under the care of the Trustees, who in the person of the Chairman, Portman of the old Corporation, Mr. W. Toller, gladly submitted them for inspection.

The insignia of the Mayor and Corporation, preserved at Orford, are described in Jewitt's and St. J. Hope's *Corporation Plate*, 1895, vol. II., pp. 342-3, and do not therefore need notice here. One seal dated 1579 is also there described which does not coincide with any of the forms noted below; it represents the Castle with two lions rampant as supporters, and bears the legend "Sigillum officii maioris burgi Oreford." This is in the custody of Mr. Casley.

W. D. MACRAY.

I. CHARTERS, &c.

Orford.

I. [1421] 24 May, *an.* 9.—*Inspecimus* by Henry V. of an *Inspecimus* by Richard II. of a like charter of Edward III., “*avi nostri*,” which recites and confirms a charter of Henry III., “*proavi nostri*,” granting to his men of Oreford the town of Oreford, with the mill and marsh, saving to himself and heirs the castle of the town, to hold in fee farm for ever, paying annually thirty pounds, in half-yearly payments at the quindene of Michaelmas and Easter respectively, with power to build and to use as may seem fit to them; no one to be impleaded outside the town for any land or tenement within its boundaries; to have a Gild Merchant, with all things pertaining to the same; to be quit of toll within the King’s whole realm and sovereignty (“*potestatem*”); to have return of all writs concerning summons of the Exchequer and all other royal writs concerning the town, so that no sheriff, or bailiff, or other officer shall intervene concerning any summons, distrainments, or attachments about any matter relating to the town except upon default of the men or bailiffs of the town; any one controverting or infringing these liberties to be fined ten pounds. Dated at Westminster, 12 June, *an.* 40 [1256]. Witnesses, Richard de Clare, Earl of Gloucester and Hertford, John Maunsel, Provost of Beverley, Henry de Bath, John Prior of New Burgh, William de Clare, Robert Walerand, William de Grey, Walkelin de Arderne, Ralph de Bakepuz, Bartholomew le Bygod, William Gernun. Confirming also another charter of Henry III. granting to his men of Oreford that they, or their goods found anywhere within the realm, shall not be arrested for any debt for which the sureties or the principal debtors shall not have appeared (“*extiterint*”) unless it be that those debtors may be such as have of the common property (“*communia*”) and power whereof they can satisfy for their debts in whole or in part, and shall have been wanting in justice to their creditors, subject to reasonable evidence; with like penalty of ten pounds upon any one controverting or infringing the privilege. Witn., the same, with the addition of John Fitz-Geoffrey, and Philip Luvel, Treasurer, and omission of Henry de Bath. Dated at Westminster 8 (*sic*) June, *an.* 40 [1256]. Confirmation also by Edward II. of a charter of his father, Edward I., granting to the Burgesses of the town of Oreford freedom from toll throughout the whole realm; witnessed by J[ohn Hotham] Bishop of Ely, S[tephen Gravesend] Bishop of London, Hugh le Despenser lord of “Glonmorgan,” Robert de Insula, Thomas de Blount, Steward of the Household, and dated at Bernewell 20 Feb., *an.* 19 [1326].

The Charter of Edw. III. is granted upon payment of forty shillings by the Burgesses, and is dated at Westminster, 3 Feb. *an.* 26 of England and 13 of France [1352]; that of Richard II. is dated at Westm. 14 Feb. *an.* 1 [1378]; and that of Henry V., at Westm. 24 May *an.* 9 [1421]; granted for forty shillings. Written by “Wymbysshe,” and attested as examined by Simon Gaunstede and Nicholas Wymbysshe, clerks. The Great Seal, broken, is sewn up in a linen case, and attached by silk strings.

II. [1484].—*Inspecimus* by Richard III. of a charter of his brother Edward IV., reciting and confirming the preceding charter of

Richard II. ; granted on payment of four marks ; dated at Westm. 11 Feb. *an.* 1. Written by "Barowe," and attested by Richard Skipton and Robert Blakewall, clerks. Seal lost, but the silk strings remain. Orford. —

III. [1579].—Charter of Q. Elizabeth, dated at Westm. 7 July *an.* 21, reciting and confirming the charters of Hen. III. as confirmed by Edw. VI., Hen. VIII., Edw. IV., and Rich. II. and proceeding, in accordance with a petition of the burgesses of Oreford representing the heavy burdens upon the town and the state of ruin and decay in which it is, to incorporate the town and inhabitants as a free borough, with a common seal, with power to hold property, and to plead and be impleaded, &c. ; the corporation to consist of a mayor, eight portmen and twelve capital burgesses ; the first mayor to be James Coo, merchant, the eight portmen to be Roger Sawier, William Gowltye, Thomas Ricchemann, William Beversham, John Cuttynge, gent., John Sewell, Robert Pootye, and Humphrey Warren, and the twelve capital burgesses, William Wood, Robert Marsshe, Richard Godwyn, George Overman, Thomas Hallyfaxe, Simon Lea, Walter Braybye, Thomas Gilbert, Thomas Westerbye, Richard Farrowe *alias* Baker, Tobias Edmondes *alias* Cooke, and George Reydon ; two serjeants at mace ; a Recorder, the first to be Gilbert Gerrard, esq., the Attorney General ; a town clerk, the first to be John Cuttinge, gent. ; the Mayor, Recorder, or his deputy, to be justices of the peace ; a weekly market on Mondays, the Chamberlain to collect the tolls ; the Mayor to be clerk of the market, &c. On four large sheets of parchment. Seal sewn up in a linen case.

IV. [1559].—General pardon by Q. Elizabeth to John Spylewater, late of Orford, mariner, otherwise called John Spilwater, for all offences, excepting murders and robberies in dwelling-houses or on highways, committed before the feast of All Saints last ; with the formal exceptions also of certain acts of treason, offences respecting the town of Calais, and offences concerning the Exchequer. Dated at Westm. 15 Jan. *an.* 1. Fragment of seal.

V. [1605].—Confirmation by James I. of the Charter of Q. Elizabeth ; dated at Westm. 2 May *an.* 3, of Scotland 39. Four large sheets of parchment. Half of the Great Seal appendant.

VI. [1700].—Exemplification of a judgment in the Court at Westminster of a case tried before Sir George Treby, in a suit by the Mayor and Commonalty of Orford against John Morgan, late of Orford, innholder, and Joseph Kempe, late of Orford, yeoman, for recovery of a cloak called *le Mayors gowne*, a silver sceptre called *le Silver Mace*, and a silver *badge*, so called, of the value of £20, lost by chance at Guilford in Surrey. The Corporation win their case, with costs. Octave of H. Trinity, 12 Will. III. See under 1700 and 1704, p. 271 *infra*.

The printed proclamation of James II., dated 17 Oct. 1688, for restoring the surrendered Charters to all the Corporations that had given them up.

And a printed order in Council of the same date displacing and removing all officers and members of corporations in cities, boroughs and towns corporate claiming by charter or grant from Charles II

Orford. or from James II., except such corporations as had surrendered ; with order from the King thereupon. Attached to these is a written warrant from the Sheriff of Suffolk to the Mayor of Orford ordering him to make public proclamation of these two papers.

II. EARLY DEEDS.

1361, 16 June, Friday after f. of St. Botulph Abbot, 35 Edw. III.—Grant from John Honne to Walter Michel and Matilda his wife of a messuage in the street called Southend. Among the witnesses is one Robert Gentilman.

1368, 3 July, Monday after f. of SS. Peter and Paul, 42 Edw. III.—Grant from Walter Fot and Cristina his wife to Richard Overee of a curtilage.

1373, 22 Feb., f. of Cath. S. Pet., 47 Edw. III.—Grant from John Bysschope to Ed. Mark of a chamber.

1383, 24 March, Tuesday before f. of Annunc. B.V.M., 6 Rich. II.—Grant from Hamo Ayleward, chaplain, and 16 others of a messuage in Orford abutting on the highway called *le Markeyd hey*.

1384, 3 April, Palm Sunday, 7 Rich. II.—Grant from John de Halle and Amicia his wife to George Glanvyll and Nicholas his wife of a cottage.

1384, 12 April, Tuesday in Easter week, 7 Rich. II.—Grant from John Gardener of Cotton and Margaret his wife to John Man of the moiety of a tenement in Orford.

1384, 26 May, Thursday after f. of St. Aldelm, 7 Rich. II.—Grant from John Parker to Richard Spyce of a marsh at Neutone formerly Alexander Bele's.

1386, 17 April, Sunday before f. of St. Alphege, 9 Rich. II.—Grant from William Mark to Richard Halle, junior, of two chambers called "Busschopis chambre," with a new bakehouse, &c.

1388, 13 Sept., Sunday before f. of Exalt. of H. Cross, 12 Rich. II.—Grant from Adam Merlyng to John de Halle of half an acre of land in Gategrave.

1388, 11 Oct., Sunday after f. of St. Faith, 12 Rich. II.—Grant from John Coupere, junior, and Margaret his wife to Sir John de Wesebeche, perpetual vicar of the church of Orford, John Carlille, clerk, and John Cokerell, of their messuage in Orford, and of all their arable lands in Orford and Gategrave.

1390, 5 April, Tuesday in Easter week, 13 Rich. II.—Grant from Richard Wulvestone and Alice his wife to Robert Wlvestone of all their part of a messuage in Orford which came to them upon the death of Agnes Bysschop mother of the said Alice.

1390, 8 June, Wedn. before f. of St. Barnabas, 13 Rich. II.—Grant from Adam Merlyng to John Halle of a piece of land in the parish of Gadegrave.

1391, 8 Jan., Sunday after f. of Epiphany, 14 Rich. II.—Grant from John Carlille, clerk, abiding ("manens") in Orford, to Alexander Halle, Hugh de Hetham, and Geoffrey Palmere, of a messuage in Orford.

In the reign of Henry IV. there are six deeds, which do not call for special notice. In one the personal name of *Runting* appears

as *Runtynge*, and the village name of *Gadegrave* as *Cathgrave*. In Orford. 1409 there is mention of land belonging to the Chantry of B. Mary. —

Hen. V.—Three.

Hen. VI.—Six.

1433, 15 Aug., f. of Assumpt. of B. Mary, 11 Hen. VI.—In the Chapter House at Metyngham. Acknowledgment by Roger Bewbrigge,* Master or Warden of the College of B. Mary of Metyngham, and the brethren, of the receipt from Roger Gyrlyng of ten shillings in full payment of forty marks for the manumission of his deceased father and of his father's children.

1439, 8 Jan., 17 Hen. VI.—Quit-claim by Joan Botyllere, late the wife of William Botyllere of North Todenham, to Thomas Wiseman, parson of the church of Chelisford, and John Gerlyng of Orford, executors of the will of Augustine Martyn her father (“*fatris!*”) of all her right in the lands and tenements, “*una cum stadiis kedellorum,*” of the said Augustine in Orford.

Edw. IV.—Seven.

Lanes in Orford called *Draweryslane* and *Blyndelane* mentioned in the second one, 1464.

Hen. VII.—Fourteen; of which four are in English.

1488, 14 Sept.—Deed of sale by John Wareyne, senior, to William Valentyn, for twenty marks, of his whole tenement in Orford, on condition that he and his wife shall have their dwelling in the shop for life, with the profits of the stable and a little house hanging thereupon and a hedge, with free going and coming to the well and the querns, and half the fruit of the trees in the garden; and the said William shall repair the said houses, wind-tight and water-tight, and John guarantees that he will not damage the lead, kiln, querns, doors, windows or hooks.

1500.—Brode Strete, Gropecuntlane, and Garfyssshlane, in Orford, mentioned. Sir Thomas Dogett, Abbot of Leyston, a witness.†

1502.—“*Utencilytes*” for “*utensils*” in a lease, twice.

Henry VIII.—Eleven.

1517.—John Browne, clerk, rector of the church of Orford.

1525.—Richard Peresone, clerk, rector of the church of Orford.

1538.—Lease by Thomas Wrythesley, of Tychefeld, co. Southampton, esq., as guardian of Anthony Russhe by the King's letters patent, to Robert Pawlynne, butcher, of two tenements called the *Howsse* and the *Tollehowse*.

1539, 22 Dec., 31 Hen. VIII.—Sale by Thomas Mannyng, Bishop of Ipswich, to John Spylwater, of all those messuages, lands, and tenements in Orford which he, together with George Gore, clerk, had from the said John by charter dated 29 March in the same year. Small seal with initials T. M. In 1546 there is mention of Thomas Mannyng of Orford, “*yoman,*” and there is a grant from him in 1550, *infra*. In this year there is mention of a shop “*de le saynt Mary servyse.*”

* He is called Roger *Banbrigge* in Blomefield's *Hist. of Norfolk*, and, from thence, in the *Monasticon*.

† Not in the *Monasticon*, where no list of the abbots of Leiston is given at all.

Orford.

1543.—Lease of the marsh in Sudbourne called Boynoppe.

Edw. VI.—Six.

1550, 22 April, 4 Edw. VI.—Deed of sale by Thomas Mannyng to John Johnson of the moiety of a messuage in Orford, between the lane called Catmers leading from the house lately called *le Fryers* towards the market-place on the east, and the lane called Garfyshelane on the west.

Elizabeth.—Eight.

1578, 24 Sept.—Lease to William Gooding of the common rights of "shack" in the King's field for 18 years, at a yearly rent of ten shillings. Seal same as that used in 1521, *infra*, p. 195.

1598, 27 March.—Similar lease to James Warren for 20 years at an annual rent of 13s. 4d.

James I.—Twelve.

1620, 21 June.—Receipt for 50s. for the second year's payment to the town of Yarmouth towards suppressing of pirates according to letters from the Council.

1621, 1 Feb.—Sale by Michael Cwetsonbleke to Roger Woodward of half of his cogboat with half of the chain and half of one pair of oars. Signed and sealed.

Charles I.—Two.

These two deeds are of one date, 13 Feb. 1625-6, and are conveyances by Edward Browne, of Wapping, Middlesex, mariner, and Margaret his wife to Thomas Gilberte, of Orford, baker, for the sum of £13 11s., of their tenement in Orford called *Buckles*, lately burned down, with all the houses, garden, hempland, &c., appurtenant, with all the evidences concerning the same which the said Edward can conveniently come by. [Browne obtained the tenement from Robert Selby, of Orford, scrivener, and deeds relating to it are amongst those of the two preceding reigns.]

III. WILLS.

1468, 27 Nov.—Short will of Augustine Gaspale of Boytune; to be buried in the Churchyard of Boytune; all his goods to his wife Elena. Proved 4 May—(?)

1504, 19 Aug.—(In English, as are all the wills that follow.)—Will of Christian Gernon, of Hollesley, widow, late the wife of William Gybson. Her soul to God, "our blyssed Lady Modre of Crist Jhu, and to alle the seyntes of heven;" her body to be buried in the church of Allehallow of Hollesley; to the high altar there vjs. viij^d; to the painting of the "candylbeme" there five marks; to the high altar of Baudesay, iijs. iiij^d; to the high altar of St. Margaret of Shotesham, iijs. iiij^d; to the reparation of the King's bridge in Bradfeld, vjs. viij^d; to each of her godchildren, xxd. She will have a priest to the court of Rome to sing for herself, Robert Sarle, William Gybson, and Thomas Garnon her husbands, her sons Thomas Gibson and Robert Garnon, to sing a mass at Scala Dei or at St. Sebastian's, whom she will have to be Sir Antony Calver parson of Dalengho, if he will, and to have for his wages £12, any one else to have £10; a priest to sing for her and her friends in Hollesley Church for two years and to have her year-day kept as long as the expense may be borne. Proved at Wytham 25 Oct. 1505.

1506, 17 Sept.—Will of Richard Andrew of Orford. His soul to God, our Lady and all the holy company of heaven. His body to be buried in the Friars' Church of Orford. To the high altar within the church of St. Bartholomew of Orford *xxd.*; to the reparation of the church *xxd.*; to friar John Geynysburghe *vj* marks for to sing within the friary for him and his friends, and to the said John a feather-bed with a "trannisome" and a pillow, a bason and a laver, with six pieces of pewter, and after the said John's decease the said stuff to remain to the Convent, except it hap that he fall into great poverty or sickness that he must needs help and comfort himself therewith; to the Convent *xxd.* to pray for him and his friends, releasing to the Convent all the duties which they owe him by friar Robert Gelderne, with all other, on this condition that they will make him a brother of the Chapter house, and pray for him and his friends; to the said house of Friars his great pot, that they shall sing half a trental for him and his friends; to friar John Hyham *vjs. viiijd.* to pray for him; to friar William Legatt when he be priested *xxvjs. viiijd.*, for to sing for him and his friends, and *iiij* pieces of pewter; to the Black Friars of Donwiche *ijs. iiijd.*; to the Grey Friars of the same town *ijs. iiijd.*; to the Chaunters of Ippyswych in Crystyschyrch *vjs. viiijd.*; to the reparation of the church of St. Margaret in Ippyswych *ijs. iiijd.*; to our Lady within the Chapel wall of Orford *xijd.*; to the Good Rood with the Friars of Orford *xijd.*; to the mending of the high way within the Chapel street *xxd.* His wife to have his tenement for twelve months after his decease with all the moveables there except as before bequeathed, and then the tenement to be sold by his executors, John Spylwater and John Geynysburghe, friar, and if sold within the twelve months, then his wife to have *xs.* and to avoid out of the tenement when required. To each executor *vjs. viiijd.* and all costs. To friar Bartholomew *ijs. iiijd.* (Sir Walter Browne, parish priest of the town, one of the witnesses.) Proved at Orford before John Leycestyr, LL.B., and administration granted to John Spylwater, the grant to John Geynysburgh being reserved until he shall have exhibited letters testimonial from his Provincial that he can canonically accept the charge. Fragment of the seal of the official.

1512, 2 Nov.—Will of Thomas Fedeward of Sudburne. His soul (in the same words as in the preceding will, and in similar terms in those that follow); his body to be buried in the churchyard of All Saints, Sudburne, to the high altar of which he leaves *ijs. iiijd.*, and to the church *xs.* for a ladder; to his wife Marget his tenements and lands for her life, and to her and his daughter sheep and milch kine; to Thomas Fedewarde his "neve," his best gown, violet colour, and to him and Margery his sister, sheep, &c.; to Austin Everard and Robert Jewry sheep and stirks; to the Austin Friars four bushels of barley; to every godchild of his an ewe lamb. Proved at Orford 18 Feb. 1512. Fragment of the seal of the official.

1526, 3 April.—Will of Helyn Holder, of Orford, widow. To be buried in the churchyard of St. Bartholomew in Orford; to the high altar there *xxd.*, and to the reparation of the roof in our Lady's

Orford.

"chaungell" xxs. ; a secular priest to pray for her and her husband Robert Holder for one half-year in Orford church ; to the Friars Augustins xs. to sing a trental of masses for her, to be parted among those that are priests ; to Sir George Goose, Chantry priest of Orford, vjs. viij*d.*, to pray for her and to be supervisor of her will. Money, pewter plates and dishes, &c., to Roger, Joan and Alice Roper, to Helyn Bokyll and Elyn (*sic*) Pye, her god-daughters, Joan Bokyll, Margery Pye, Elyn Catmer. (Sir William Fytyskerys, parish priest, a witness.) Proved at Snape 23 Sept. 1527.

1531, 5 April.—Will of Henry Roper, of Orford. To be buried in the churchyard of St. Bartholomew ; to the high altar there x*d.*, and to the reparations ijs. iiij*d.* ; his tenement and goods to his wife Margaret and his children Roger and Joan. (Sir Robert Harrys, parish priest, a witness.) Proved at Orford before William Talmach, LL.B., 29 April, 1531.

1536, 25 April.—Will of Thomas Hethe, of Orford. To be buried in the churchyard of St. Bartholomew ; to the high altar there x*d.* ; to our Lady's altar there, to be prayed for, viij*d.* ; his tenement, &c., to his wife Margaret, and after her death the tenement to be sold, and v*l.* xiijs. iiij*d.* be given for leading the south yle of Orford church, or else for the church roof, his daughter Margaret to have a like sum, and an honest priest be paid to pray for him and his friends a whole year in Orford church. Furniture divided between his wife and daughter ; each to have a "manfare" of deep sea nets, and the latter to have a pair of amber beads with seven silver Pater Nosters. His "stawbote," anchors, cocks, ropes, nets, &c., belonging thereto to be sold for performance of his will, and his wife to have xxs. from the proceeds. (Sir George Goore, chantry priest, a witness.) Proved before Will. Talmach, LL.B., at Wickham Market 12 July, 1536.

1536[–7], 19 Feb.—Will of Thomas Hodson, of Sudborne. His body to be buried in the churchyard of All Saints Sudborne ; to the high altar there ijs. iiij*d.*, to the church for reparations, xs. ; a secular ("suculary") priest to sing a trental of masses for the souls of himself, his father and mother, and all his friends. Bequests to his sons William, Thomas, and Robert, and to Elizabeth Hodgson his daughter, and to each of his godchildren iiij*d.* Probate at Snape 13 Apr. 1537 by William Talmach, LL.B., Commissary of the Archdeacon ; seal of the official attached, a figure with pastoral staff and book.

1538, 20 April.—Will of William Brabye, of Hollisley. To be buried in the churchyard of Hollisley ; to the high altar there, x*d.* All his moveables, cattle, horses, neat sheep, swine, fowls, to be divided equally between his wife Agnes and his son Richard, and his wife to have his new chamber at the south end of the house, and free liberty of occupation in all the houses ; if any disagreement arise between them, then his son shall pay her yearly vjs. viij*d.* ; she shall also have yearly two "rymbyll" of hemp, one of "fembyll," and one of "carbe," and of the corn now growing two comb of rye and two of barley. His son to dispose of residue in deeds of charity for the health of his soul and all Christian souls. Proved before W. Talmach at Wickham, 7 May, 1539.

1539, 15 Nov.—Will of John Marlyngham, of Orford. To be buried in the churchyard of Orford; to the high altar *xxd.*, and to the reparation of the church *xxs.* To Robert Maryet, Laurence Rakham, Margery Tomson, and John Edmonds the younger, bason, brass pot, pewter platters and candlesticks; his wife to “dyspose in prest songe and other dedes of charyte in Orford *xls.* ;” all the remainder to his wife Margere. (Sir John Warner, priest, a witness.) Proved before W. Talmach at Snape 9 Nov. 1541. Fragment of seal.

Orford
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1552, 10 Oct.—Certificate in the name of Edw. VI. of probate dated 15 Dec. 1552 before Thomas Pynder, M.A., Commissary in the Archdeaconry of Suffolk, of the will of John Nettelton, of Sudborne. To be buried in the church yard of Sudborne; five shillings to the poor. Small legacies to his mother, his sister Margery Nettelton, to John and Alice Evered, and Maryon Evered his wife's sister, and to Johan Coxon “my girle.” Broken seal: “. . . ill’ [official] Majestatis. . . .” With this is a formal sealed and attested acknowledgment by Joan Cockson of the receipt of the legacy to her on 17 April 1555, 1 & 2 Phil. and Mary.

1572, 24 March, 14 Eliz.—Copy made at the instance of William Goltje, of Sysewell, attested by Robert Pecke, registrar of the Archdeaconry of Suffolk at Beccles, 10 March 1584, of the will of Thomas Lorde, of Orford, which was proved at Aldeburgh 19 Sept. 1572. All his lands &c. in Sudborne and Iken to Robert Love and Margaret his wife, the testator's daughter, paying four pounds yearly to his wife Hellen during her life in place of dowry therefrom; other legacies to Margaret Cookson.

1614, 23 April.—Will of William Spinke of Iken, Suffolk, husbandman; bequests to his wife Agnes and five daughters Mildred, Katherine, Mary, Margaret, and Elizabeth. An extract from the Court Roll of Thomas Clench, esq., and Anne Wingfield his wife, of 8 June, 1616, records the admission of the widow to her husband's holdings in pursuance of the will.

IV. REGISTERS.

I. Paper volume, in folio, containing 133 leaves, in parchment cover, with folding flap, Acts of the Bailiffs, and Court record of the Corporation, 16–30 Eliz., 1574–1585.

1574, 8 Sept.—Roger Sawyere and Robert Pootye elected bailiffs.

31 Jan.—Agreement by the bailiffs, burgesses and freemen, for the maintenance of all ordinances made by them, under specified penalties; with the names of twelve burgesses and eleven freemen.

11 March.—Ten orders made.

1575, 1 Sept.—John Love [*or* Lone?] and George Eayrman, *al.* Eyerman, bailiffs. Love died shortly after his year of office, and William Gowghtie (*sic*), one of the Twelve Capital Burgesses, succeeded in Sept. 1577.

29 March.—Orders for removal of rebellious or immoral burgesses.

1576, 1 Sept.—Order forbidding the buying of white herring at the Haven or the Key by any one not being free of the town, and that no inhabitants not being free shall buy more herring than only for

Orford. — their necessary use in their own houses. Oath of the burgesses; fee for admission five shillings. But the fee was variable; 20s. in two cases in 1577, and 10s. in three others. Thomas Richemond (*al.* Richeman) and William Beversham, bailiffs. Thomas Westoby "wharfenger," to take sixpence for every ship not belonging to the town, and fourpence for every boat, and to have for his fee one penny out of every shilling.

1577.—James Coo and John Sewell, bailiffs.

Pleas of debt and trespass, in "*Curia Reginae*."

List of 86 persons contributing to the cost of the new Charter, varying from 20 nobles to 12 pence, with the names of others who gave nothing. Probably this list affords the names of all the householders in Orford at the time.

List of seven persons who contributed twenty marks "layde out for the parson of Orford."

Two women sentenced to be "in cippis," or "super le cookestole" for half a day.

1578.—"Memorandum, that the firste daie of June, being the Sondaie after Trynyte Soondaye, anno Domini 1578, in the tyme of the seid baylives, the seid baylives of thys towne and ther brethren, with the parson of Orford, did go downe to the hospitall of St. Leonarde in the seid towne, with the moste parte of all the parrishsheners with them, both men wemen and children, Thomas Saunder, sergaunte, carying the mace of the seid towne before the Baylives both to the seid hospitall, in the seid hospitall, and from the same, and there did heare evenyng prayer in the Chappell, for a perpetuall remembraunce that the Baylives and there Brethren be masters and patrons of the same hospitall, to the laude and glorie of God, according to the foundacion therof, willing and desiering all ther successors hereafter to kepe the like order everye Sondaie after Trynitie Sondaie yerelie for a perpetuall memory therof for ever."

Roger Sawier and William Gowltie (*sic*) bailiffs.

The total of receipts by the Chamberlain this year is £4 3s. 7d.

George Saunders, of Whitby, Yorkshire, is apprenticed to Thomas Harrold, of Orford, mariner, for three years to learn the art of navigation. Harrold signs his name himself as "Harwood."

1579, 13 July.—James Coo admitted as Mayor.

From this time to the end of the book this Register is occupied by the court pleas before the Justices of the peace, with copies of bonds and a few other miscellaneous matters. A leaf is wanting between ff. 114–15, another between ff. 115–16, another between ff. 122–3, and one between ff. 131–2, in the years 1586–8. A loose slip at the end contains notes of "Acts to be passed," for buying and selling of herring, baking bread, selling corn, dragging oysters, &c. The name of "John Randall, Orford," is written on the last leaf.

II. Paper volume in large folio, containing in all 249 leaves, of which 19 at the beginning are blank and several at the end. Bound in tattered stamped leather. A fly-leaf at each end is a fragment from a beautifully written Breviary of the thirteenth century.

Register of the Acts of the Corporation under the Charter of Q. Elizabeth from 1579 to 1662.

1579, 31 July.—Memorandum that Peter Love [*or Lone,*] one of the Portmen, on 13 March 22 Eliz., at the Court of James Coe, Mayor, refused to exercise his office, for which cause, and other his disobediences towards the Mayor, the Mayor and Portmen commit him to the gaol for nine days, during which time he obtained out of the Queen's Bench a writ of *Habeas Corpus*, and was finally admitted to bail. The proceedings are narrated at considerable length.

1580, 20 Sept.—Acts are made respecting non-appearance of Portmen and Burgesses at Courts, with fine of 12*d.* in default. Also that one Burgess shall not implead another out of the town under penalty of £20. Also that if any Portman, etc., or any inhabitant, sue the Mayor, etc., or any one of the town, out of the Queen's Court holden in the burgh, they should forfeit £20; and that, upon conviction and refusal to pay the fine, it should be lawful for the Mayor and the greater part of the Portmen to commit such person to the gaol, there to remain without bail until the fine be paid. [Recital is then made of Peter Love's refusal to exercise his office, his residing out of the town, and his pretending by divers ways to infringe the liberties of the burgh contrary to his oath; and it is therefore] enacted that if the said Peter shall at any time hereafter refuse to exercise his office, etc., he shall forfeit £40, and it shall be lawful to commit him to gaol, to remain there without bail until the forfeiture be paid. [As Peter Love became Coroner shortly afterwards, and subsequently Mayor, the enactments must have effected their purpose].

Roger Saw[i]er, one of the Portmen, died 26 March, 1580.

An Act forbidding foreigners to drag oysters in the haven, "for avoiding of common spoyle and destruccion of oysters," is passed 9 Sept. 1581. Renewed 14 May 1712.

A tax for the repair of the Key levied 30 Aug. 1582 upon all the burgesses and inhabitants; the total number only 70 the names of each being entered, and the rate of assessment.

1582, 24 Nov.—Hugh Cole, a labourer, of Benhall, admitted as a brother of St. Leonard's Hospital, on payment of 40*s.* in hand, and 40*s.* yearly for life.

1584, 16 March.—An act empowering the Mayor to commit to prison persons who obstinately refuse to pay their assessment for the wages of the Clerk or Sexton of the parish church.

A boy late one of the children of the Hospital of St. Leonard apprenticed for 9 years, to receive at the end of the term double apparel and 40*s.*

Assessment for a subsidy to the Crown in November.

In this year and the next applications are made to the Lord Chancellor for licenses for persons to beg for the Hospital of St. Leonard in the counties of Suffolk and Essex and in Warwickshire and Northamptonshire. Similar application 21 Oct. 1596 for begging for the Hospital in Essex and Kent.

1588, 19 March.—Incorporation of the tailors of the town into a society.

15 July.—A woman sentenced to be flogged in the market-place and the streets for fornication.

Orford.

5 Aug.—A tailor put in the pillory in the market for one hour for seditious words spoken to the constable.

1589, 6 Oct.—Order that one person from every house shall on every Friday morning at 9 o'cl., at the tolling of the bell, go to the parish church to hear divine service and the sermon, or lecture reading, upon pain of forfeiture of 4*d.* for every default, unless allowed by two of the Portmen; and whereas Sunday is much profaned by keeping open shops, driving of carts, buying and selling, and other evil rule in victualling houses, in the time of divine service, the like penalty to be levied in every such case. The penalties to be given for the poor of the town.

Act of Parliament for the preservation of the haven.

1591.—James Coe, *al.* Coe, the first mayor, died “circa mensem Augusti, vir pius, honestus, et statui hujus ville et pauperibus preliberalis, ac sepultus est in capella Majoris.” By his will dated 3 June he bequeathed a marsh called the *Chantry Marsh* or *Chantry Saltes*,* near Beydon, to the Mayor and Commonalty, for the use of the town; also a piece of land which he held of the Hospital of St. Leonard, near the Castle Green, upon which he willed that three convenient houses should be built under one roof for three aged widows of honest conversation; also to the poor of the town £20 annually, and 40*s.* to be distributed, half on the Monday after the feast of St. Michael when the Mayor is chosen, after the sermon in the Mayor's Chapel, and the other half on Easter day after celebration of the Communion; to the repair of the Church, £5; wood and planks for repair of the Key. “Vivit post funera virtus.” A copy of part of the will is given at f. 36.

In May Humphrey Warren, once Mayor, died, “vir honestus et simplicis dispositionis,” and was buried in the Mayor's Chapel.

19 Aug.—An order forbidding the subletting of houses, to prevent the raising of rents.

1593, 19 March.—John Stiles of Gedgrave committed to prison for refusing to pay 16*d.* for the relief of the poor of Orford, alleging that Gedgrave was a separate parish, and that the lord of the manor forbade his paying it; but on the Thursday following he paid and was released. Gedgrave had been united to Orford. The dispute was renewed in 1643, when an order for distraint upon the inhabitants of Gedgrave was made. See further under 1655.

Sir Gilbert Gerrard, the Recorder, died about 2 Feb. and Edward Cooke, [Coke], Solicitor-General, was elected.

John Northe and Edward Grimston, esqs., elected burgesses in Parliament.

1 June.—Agreement with the town of Newcastle upon Tyne, in consideration of payment of £35, that the freemen of Orford shall not pay more than the men of Aldeburgh or other places for shipment of coals, or other things; f. 49 under the year 1597.

1594, 5 Feb.—Licence to a butcher to kill flesh in Lent provided he does not kill more weekly than two calves, one sheep, and one lamb, for the sick and those who are licensed to eat meat in Lent.

1596, 18 May.—Order that the Portmen who have borne the office

* These had belonged to the Chantry of B. Mary of Orford. f. 59.

of Mayor attend Church at morning and evening prayer, the feast of St. John Bapt. and the Queen's Coronation Day, wearing fair black gowns with velvet tippets, and the rest the gown only. Orford. —

1597, 4 Oct.—Four widows admitted to Coe's Almshouses near Castle Green, and an old man admitted to one room in the Church House near the churchyard gate, and an old woman with her husband to another. This note is added, "But this house was given to the reparacions of the church."

1598, 17 Nov.—Act to prevent the letting of houses or rooms to persons who have not dwelt in the town for one year, "for suppressing and avoiding of inmates and other vagraunte idle and lewde persones which seeke and covett to inhabite in this towne, being not able to live of themselves." Another like Act 14 Nov. 1611.

1599.—The way leading from *le Kingesfild* to *le Spittle Crosse*, mentioned in a lease, and land lately belonging to the Chapel of St. John Bapt.

1601, 28 Sept.—Sir Richard Knightley and Sir John Townesend chosen as burgesses in Parliament.

1604, 11 March.—Sir Michael Stanhoppe and Sir William Cornwallis, jun., elected burgesses in Parliament.

24 Sept.—The house called *le Chapell howse* of the dissolved Hospital of St. John Bapt. leased to a carpenter for seven years at the annual rent of 33s. 4d.

29 Sept.—Proclamation of K. James I.

1605, 19 Oct.—Order forbidding the standing of stalboats outside the precinct of the haven and manor of Orford in a certain water called the Gull, whereby the lord of the manor lost his customary rent of 10s. and the parson his duty of 7s.

22 June.—Orders from the King's Council to all justices in the kingdom for better preservation of the peace, &c.

1606, 27 Jan.—A "tassell jentle" of Sir Anthony Felton, knt., lost 14 Jan., cried by the Crier.

23 May.—John Cuttinge, Mayor and Town Clerk, deprived of his offices for absenting himself, and Francis Mace elected Mayor in his place, and Thomas Shawe Town Clerk.

8 Dec.—Indenture of apprenticeship to a "powldaves weaver" of Butley.

27 Dec.—An Act for repair of the Key.

1611.—Extract from the will of Robert Bence of Harwich, merchant, formerly one of the Portmen, who died at London, and by his will dated 26 May, 1611, bequeathed to the Mayor and Churchwardens of Orford four small tenements in Bridge Street, to be made into six or more convenient almshouses for six or more aged widowers or widows, and also the marsh and house on the north-east side of Bridge Street to apply the rent to the maintenance of the almshouses, and any overplus to be bestowed upon the almspeople.

7 Sept.—Lease of *le Chappell Howse* of the Hosp. of St. John Bapt. to Amys Cordy, labourer, for seven years, at an annual rent of 40s. Cordy subsequently is allowed to grant to another person leave, with free ingress and egress, to draw water from the well of the Hospital. Leased to William Blanchflower for two years on 5 Dec. 1618 at an annual rent of 46s. 8d.

Orford.

1613.—James Beversham fined £40 for refusing to take the office of Mayor. On 15 Dec. 1616 he gives an acquittance for 46s. 4d. "for charges of sute," and for 13s. 4d. arrears of rent due from the marshes bequeathed by James Coe to the town.

1619, 1620.—Accounts of Francis Mace, chamberlain, for these and following years. The total of receipts in the latter year is £100 15s. 0d.; in 1621, £108 3s. 5d.; in 1623, £112 4s. 2d.; in 1624, £146 16s. 8d.; in 1625, £179 11s. 9d. From this date receipts decrease.

1621, 3 Dec.—Sir Edw. Cooke [Coke] is removed from the office of Recorder, and Sir Robert Hicham, serj. at law, is chosen in his place.

1627.—"Bedwall Crosse" mentioned in a lease.

1629, 3 Nov.—Ordinance for maintenance and repair of the Key.

1632.—The inhabitants were sued at Bury for repair of Snape bridge, but the case was dismissed.

1637, Dec.—The Mayor and Commonalty add £20 to the £40 bequeathed to the poor by James Coe and John Bence, and with the money buy a windmill standing upon a piece of town land called *the Harp*, and the interest of the £40, being £3 4s. 0d. is to be yearly paid and distributed out of the rent of the mill.

1647, 27 Sept.—Richard Keble, esq., the Recorder, is removed from his office, and John Sicklemore, esq., substituted.

During the whole of the Civil War period there is nothing to show any disturbance of the town; the routine business goes on with the usual regularity, Suffolk being, like the other eastern counties, entirely on the side of the Parliament.

1652.—Thomas Hastlyn, a youth described as of twenty years of age "or thereabouts," is elected Mayor! And in the next year William March, of the same age. These become by virtue of their office justices of the peace. It may be inferred that older and more responsible persons were withdrawing themselves from taking part in any public business, at any rate for a time.

1654.—Thomas Hastlyn is elected Coroner at the age of 22.

1655.—An agreement confirmed which had been made previously with the inhabitants of Gedgrave, as alleged by Mr. Parker, owner of the lands there, for payment of fifty shillings annually in discharge of all duties, with payment of arrears. In 1658, a third part to be paid annually by Visc. Hereford.

1656, 11 July.—An order against ploughing up any highway or any part thereof, under penalty of five pounds. In 1675 there is a case of ploughing up the highway leading from Roydon Marshes to Procter's Gate.

1657–8, 23 March.—Ordered "that a letter be drawne by the Recorder of this towne to be presented to Bolstrode Lord Whitlock, Viscount Oreford, to expresse the townes thankfulness for that he hath byn pleased to take his honour from the towne."

1659–60, 1 March.—The effect of the near prospect of the King's restoration is to be seen in the following list of persons admitted free burgesses, all "in due manner sworne," and presumably therefore all present:—Aubery, Earl of Oxford, born in London, aged 33. Walter Devereux, esq., born at Castle Bromwich, aged 38. Edward Devereux, esq., born at Leigh, Worc., aged 36.

George Porter, esq., born at Hatfield Woodall, Essex, aged 37. Orford.
 George Digby, esq., born at Burne Elmes, Surrey, aged 34. —
 Christopher Ludkyn, doctor of physic, born at Norwich, aged 44.
 John Ford, the younger, born at Ipswich, aged 24. Edward
 Steyner, gent., born at Worcester, aged 31.

7 Aug.—Order for a rate to raise £50 for repair of the Town house and Key. Thanks given to Leicester Viscount Hereford for his “worthy and bountifull benevolence” in giving twenty loads of timber towards this object. Order again for a rate in 1678.

On the reverse of f. 221 are copies of three declarations in Dutch : i. ‘respecting the will of Wouter Machiels and Katerina his wife, 9 May, 1569 : ii. respecting the will of “Elisabet Ruts, Jans dochter, vulgo van Castel,” 29 Sept., 1567 : iii. respecting “Engel Muelen alias Vits Hendrix dochter,” not dated.

The names of Elizabeth Craggs of Orford and John Randall are written on fly-leaves.

On the first page is a certificate that the volume was exhibited in a suit in Chancery 14 Jan., 1677.

III. A folio paper volume, containing 59 written leaves, with many others blank ; bound in black leather.

Acts of the Corporation from 1662 to 1701.

Memorandum of the taking of the Oath of Allegiance 30 Oct. 1662.

1667, 1 Nov.—Charges fixed for dinners ; at a Court of Record, ten shillings, at a Great Court twenty shillings, at a Sessions forty shillings, and the same at the election and swearing in of a Mayor ; any excess to be borne by the person providing the dinner, and the bill to be delivered to the Mayor before leaving the house. Renewed 14 Nov. 1712.

1668, 1 Sept.—The collections made for the poor to be paid upon the Sunday after evening prayer, and all such as shall neglect to be at church to lose their share for that week unless they show just cause of absence to the Mayor or some justice of peace.

1669, 4 Oct.—Henry Parker, esq., elected Recorder in the place of John Sicklemore, esq.

1672.—The Chamberlain’s receipts for this year only amount to £44 4s. 7d., and the average sum is at this period somewhat similar, although in the next year it rises to £57 13s. 11d. The accounts include relief given to poor travellers and seamen, and persons bringing briefs for collections.

1679, 5 Sept.—Sir John Duke, bart. (who had held the office of Mayor in 1677) and Henry Parker, esq., elected Burgesses in Parliament.

1680-1, 23 Feb.—Sir John Duke, bart., and Thomas Glemham, esq., elected Burgesses in Parliament. Sir Thomas Smyth elected Recorder in the place of Henry Parker, esq., deceased. His signature to the declaration against the Solemn League and Covenant is at f. 43.

1689, 3 Sept.—Order against the taking of undersized oysters and lobsters ; oysters to be sold at a shilling a hundred, and lobsters at threepence each, as they were taken, “without culling or picking.”

Order forbidding fishing without leave, 7 Jan. 1719-20.

Orford.

1693, 25 Sept.—The Mayor, Richard Gooding, is severely censured for holding illegal meetings, without due notice, for the election of burgesses, and three who had been so elected are removed. And the Mayor is deprived of his place as a Portman in 1694 as living without the town, "*ac eciam pro diversis contemptis et malegesturis per ipsum commissis.*"

1696–7, 4 March.—Sir John Duke, bart., again elected a Burgess in Parliament in the place of Sir Adam Felton, bart., deceased.

1698, 28 July.—Sir Thomas Felton, bart., and Sir Charles Hedges, bart., elected Burgesses in Parliament.

After 1683 there are five blank leaves on which no entries were made, through default it would seem of the Town Clerk for some three years, and afterwards through surrender of the Charters to James II.

The next entry is on 12 Nov. "*anno regni domini Jacobi II. quarto, annoque Domini 1688, post restoracionem literarum patentium huic Burgo.*"

In several years proceedings at sessions of the peace are entered in this volume. It, like the preceding volume, was exhibited in Chancery 14 Jan. 1677.

On a fly-leaf is a note of James Coe's gift in 1591 of a marsh, let at £35 per an., taken from an almanac dated 1649 which Sir John Plater showed to Mr. Josias Alsop at Saturly in 1702.

IV. A folio paper volume containing 129 written leaves, bound in leather.

Acts of the Corporation from 1693 to 1736.

For the first eight years the volume appears to be the Register of a schism in the Corporation, consequent upon the deposition of Richard Gooding from the office of Mayor. On p. 8 is a record of serious and unseemly squabbles from 1694 to 1700, and of the breaking open of the Town Hall on seven different occasions.

In the preceding Register Thomas Hastings is entered as being elected Mayor on 25 Sept. 1693, and admitted on 2 Oct. by the Recorder; here, on the same date Thomas Palmer is elected, and the rival mayors on 12 Aug. attended church together, for it is noted that on that day "Anthony Pretty carried the mace before Tho. Hastings to church, and the said Tho. Hastings sat with the Mayor in his pew." In the preceding volume, Joseph Hastings is elected 25 Sept. 1694, and admitted 1 Oct.; here, on 24 May 1693 he is deprived of his places as Portman and Claver, and Thomas Hastings, for breaking open the town chest, and taking out the charter (for which a mandamus against him was issued in the King's Bench), &c., is on 22 Sept. 1694 deprived of his place as Portman; and Richard Porter is dismissed from being Town Clerk, for refusing to attend the rival Courts, and for not having made entries in the Town Book for twelve years,* and William Betts chosen, but on 25 Sept. in the other book Porter is restored in as full manner as before. In the preceding volume Nathaniel Gooding is deprived of

*This would seem to show that all the entries in the other volume subsequent to 1683 were made after 1694.

his place as Portman on 23 Sept. 1695 "*pro diversis malegesturis et contemptibus*;" here, on the same day he is elected Mayor and admitted on the 30th Sept. And so the two dissentient registers of the two factions go on. Orford.

1695, 2 Nov.—Sir Adam Felton, bart., and Thomas Felton, esq., elected Burgesses in Parliament (not noted in the other book). On the next page Sir Adam Felton signs an acquittance discharging the town from any wages that may be due to him for his service.

1698, 28 July.—Sir Edmund Bacon, bart., and William Johnson, esq., elected Burgesses in Parliament.

1699, 25 Sept.—Charles Morris, esq., elected Recorder in the room of Hon. Edward Devereux, deceased.

1700, 5 April.—An action for trespass ordered to be commenced against Thomas Hastings and six others for breaking the Town Hall and taking away the assembly books, charter and mace.

How the strife was ended does not appear, but from 1700 there is but one record.

1701, 2 Dec.—A contested election for Parliament, for which the names of the voters are entered. Seventeen voted for Sir Edmund Bacon, bart., and Sir Edward Turnor, knt., and nine for Charles Killegrew and Charles May, esqs. In the majority is Lyonel, Earl of Dysert.

1704.—The Earl of Dysert is mayor.

19 Aug.—"Att this Assembly was restored and delivered to the Right Hon. the Earl of Dysert, mayor for the time being, one Charter granted to this Corporation by Queen Elizabeth in the 21st yeare of her reign, one other Charter by the late King James, the First under his broad seal in the 3rd yeare of his reign, the seal of this Corporation and the Mace eschutcheon, two bookes of entries of the Courts and Assemblies of this Corporation, and a book of oaths and presidents, all which were directed by the said Mayor to be locked up in the town chest within the town hall belonging to this Corporation."

10 Oct.—Ordered that all persons pretending to be made free of the Corporation from Mich. 1693 to 19 Aug. last be disfranchised.

Persons made free, not inhabiting in the town, to pay £10. This order rescinded 26 Sept. 1709. But renewed 11 Oct. 1714.

An address to be drawn up to the Queen congratulating her for her happy successes and victories by sea and land.

1705, 11 May.—Sir Edm. Bacon and Sir Edw. Turnor re-elected burgesses in Parliament.

The Chamberlain's receipts this year were £204 8s. 2d., but in 1713 only £65.

1708, 4 May.—A contested Parliamentary election; 27 for Sir Edw. Turnor, 29 for Clemence Corrance, esq., and 3 for William Thompson, esq. The two former re-elected 4 Sept. 1713, and again 31 Jan. 1714-5.

1715, 2 July.—Order for an action to be commenced against two mariners of Aldeburgh for fishing contrary to the bye-laws. One of the two submits and is discharged 1 May 1716.

1721, 6 June.—A very strongly worded petition to the House of

Orford. Commons against the projectors of the South Sea Scheme, praying that no one, be he ever so great, may escape the punishment due to his crimes.

29 Dec.—Contested election for a seat in Parliament vacant by the death of Sir Edw. Turnor; 21 voted for Sir Edm. Bacon, bart., and 59 for Sir Edw. Duke, bart.

1724, 15 Aug.—The payment to the Keeper of the jail and house of correction fixed at 20s.

1727, 17 July.—Address of congratulation to George II. on his accession.

1728–9, 31 Jan.—William Acton, esq., elected for Parliament.

1729–30, 23 Feb.—Robert Kemp, esq., elected for Parliament in the room of Dudley North, deceased.

1734, 9 April.—A contested election; 45 votes each for Richard Powys, esq., and Lewis Barlow, esq., and 25 each for Joseph Windham Ash, esq., and Col. John Cope [afterwards the Sir John, of Prestonpans].

V. A folio volume, in parchment binding, bearing this inscription on a morocco label, “Donum Johannis Lawton Majori et Communitati Burgi de Oreford, anno libertatis suæ recuperatæ atque restauratæ primo, salutis 1736, Thomâ Cosens Gen. [*scil.* generoso] Majore.”

Acts of the Corporation from 1736 to 1856.

1736, 5 Oct.—The Key being out of repair, and funds being insufficient, the old order that a fee of £5 be paid by persons not being inhabitants on admission as freemen is renewed, and thereupon 26 non-residents (including Brigadier General John Cope) are elected, whose fees are to be devoted to the necessary repairs.

1742–3, 11 Jan.—The Key is let to Benjamin Beart on a repairing lease, for 99 years, at an annual rent of £6 6s. 0d.

1790, 4 Oct.—Ordered that no person presume to catch any fish or oysters within the river or the liberties thereof without a license under the seal of the Corporation, such persons to be resident and paying five shillings annually.

1791, 3 Oct.—Thanks to Visc. Beauchamp, M.P. for the borough and Mayor elect, for offering to advance the money necessary to discharge the costs of a late suit at law to establish the exclusive right to the Orford fishery. The water-bailiffs to be provided with a proper model for the size of oysters.

1796, 3 Oct.—Ordered that the payment for licences to fish be 10s. 6d. and that no person shall have such licence who does not properly lay the oyster-spat to the satisfaction of a justice of the peace.

1804, 1 Oct.—The dredging season in future to commence on the Monday before the election of Mayor, and not on 1 September.

A new jail to be built.

1806, 29 Sept.—No one to take any floating fish or lobsters without licence.

1813, 4 Oct. The Quay (now so spelled) sold to the Marquis of Hertford for £380, to be repaid to him in part satisfaction of the sums advanced by him in 1791 (*supra*) when Viscount Beauchamp.

1814, 3 Oct.—The two treats given by the Corporation on the King's and Queen's birth-days not to exceed in expense £10 on each day.

1822, 23 Sept.—John Wilson Croker elected Mayor, having been on the same day admitted freeman, capital Burgess, and portman in succession. He was Mayor again in 1828.

1833, 30 Sept.—For licence for dredging for oysters £1 1s. to be paid, and 5s. for fishing.

1846, 28 Sept.—John Wilson Croker resigns his place as Portman by letter dated at Gosport 16 Sept. His last appearance at a Court was on 5 Oct. 1840.

This volume contains little more than the record of admissions of freemen and officers, and of parliamentary elections, which were never contested.

VI. A final volume carries on the like record until the dissolution of the Corporation in 1886, with copies of correspondence relating thereto. The last meeting was held on 5 Oct. 1885. The subsequent proceedings of the Trustees of the town trusts are then recorded in the same volume.

VII. A folio paper book, containing 53 written leaves, in parchment cover.

“Eavydences concerning the manor of Orford”; formal transcripts, made in the time of James I., of title-deeds, from the second year of Henry IV. [1401] to 1 James I. At the end of this series are copies of some earlier deeds, as follows:—

i. Grant by Gilbert Peché to Sir Robert de Ufforde, in consideration of the receipt of £40, of his serf Martin of Tune of Ufforde, together with the advowson of the Church of Ufforde.

ii. Power of attorney to give seisin of the same, dated at Wudebrigg, 9 April, 11 Edw. [I. 1283].

iii. Grant by Gilbert son and heir of Sir Hamo Peché to Sir Robert de Ufford, for the sum of £40, of his fish-pond of Hakenhull in Melton, and part of another called Burriches pond, in the same place; not dated.

iv. Grant by John de Oteleye to Robert le Warner and his wife Juliana of a toft in Ufforde; dated at Ufford, Thursday in f. of All Saints, 15 Edw. III. [1341].

v. Grant by Robert le Warner of Hevenyngham and his wife Juliana to Robert de Ufford, Earl of Suffolk, of the aforesaid toft; Thursday before f. of St. Michael, 17 Edw. III. [1343].

vi. Confirmation by Gilbert Peché of the grant of the advowson of Ufford, as above, renouncing all his right, in settlement of a dispute; dated as above.

vii. Grant by Richard de Benge, son of William de Benge, to Sir Robert de Ufford and Joan his wife, for the sum of 220 marks, of his chief messuage in the parish of Peterestre in the hamlet of Benge; dated at Benge 15 Apr., 17 Edw. fil. Hen. [1289].

viii. Grant by the Canons of Wudebrigge to Baldwin de Ufford, in consideration of the gift of a parcel of land near the ditch of the

Orford. Church of St. Mary of Wudebrigge, that his agreement with Aelwin Carbol for a certain trench, that is, a way for going to his mill and returning, shall stand good. Witn., Gilebert prior of Butele, &c.

The volume ends with a lease from Leicester viscount Hereford to Robert Hafyn of Orford, dated 28 Jan. 1650, signed and sealed by the lessor and duly attested.

VIII. A folio paper book in parchment cover, containing 38 written leaves.

Proceedings at the Court of Sessions of the Peace from 10 Oct. 1704 to 1 July 1758.

The cases tried are few, and of ordinary character. In cases of larceny the culprits, both men and women, are sentenced to be publicly whipped in the market-place until their backs be bloody.

V. SPECIAL PAPERS RELATING to the TOWN AND CORPORATION.

A tattered paper headed "These ben the Articles," in number twenty, "that the poore Towne men of Orford do lay to the charge of Thomas Spyece," Mayor. Endorsed, "yn the . . . yer of Hary vj."

1521, 24 Apr., 13 Hen. VIII.—Lease from Thomas Russhe, esq., and nine others, the burgesses of Orford, to John Fox and his wife Alice and four others, of two parcels of ground, which they had bought for the use of the said town from Walter Soham, late a brother of the House or Order of St. Augustine in Orford, as executor of the last will of a certain Joan Harison, widow; to hold for the lives of the said Alice and John, at an annual rent of xij*d*. Good impression of the Town seal; the Castle tower, with surrounding wall and beacon-towers at each end, and small entrance gateway; "S' comune Burgensium de Orfordia." The counter-part of the lease is also here.

1540, 16 Nov., 32 Hen. VIII.—"Byll indentyd" of an agreement by Robert Partrych, of Orford, butcher, and John Maryet, of the same, tailor, churchwardens of Orford, with Robert Pawlyn, John Pye, and Matthew Ferrer, burgesses, to sell to Thomas How, of London, salter, one bell of thirty hundred weight, for which the said Thomas will pay to them, to the use of the whole parish of Orford, at the day of delivery in London at the King's beam, for every hundred weight xxs.; delivery to be made in London at Dyse Key before the feast of the Purification of our Lady next ensuing.

1541, 5 July, 33 Hen. VIII.—Acknowledgment signed by Charles (Duke of) Suffolk, of the receipt from Robert Pallynge, of Orford, butcher, John Cooke and William Botyll, of the same, mariners, of twenty marks, in part payment of a larger sum.

1541, 23 Nov., "at Harwyche."—Letter from Robert Legge, "to ther welbelovyd John Marrett and Robert Pawlyng." Cannot come at this present, but is informed that Thomas Legesson is now with them, to whom he begs that they will deliver for his own use all such things as Legesson's father did put them in trust, and also

to his daughter Elizabeth, who has got a good husband. Trusts that the said Robert and Elizabeth shall not need to ask any further counsel. Orford. —

1545, 18 June, 37 Hen. VIII.—Contemporary copy, on parchment, of an agreement between Sir Richard Peerson, clerk, parson of the church of Orford, for himself and his successors, and all the inhabitants of the town, with regard to the tithes for the doles of the ships, boats, and “crayers” in the time of “fishesherfare and Ieslond fare;” viz. that from the doles of the ships and crayers he shall have one half dole of all fish and herring for Christ’s dole, at the time of dividing the doles, and likewise at the reckoning-day one half dole for the “skope” nets; and further, one quarter dole of all the “fartill fare” and line boats; and the said Richard Peerson promises to pay yearly to the Churchwardens xiijs. iiij*d*. for repairing the church where most need shall require.

Seven indentures of returns of election of members of Parliament for the borough:—

1553, 21 Feb., 7 Edw. VI.—William Lovyng and Henry Cornwaleys, esqs.

[1557, 28 Dec., 4 & 5 Phil. and Mar.—Writ from Sir Henry Doyle, sheriff of Suffolk, for holding an election.]

1559, 6 Jan., 1 Eliz.—Thomas Sackforde, esq., and Francis Soone, gent. [Altered from a form filled up for 16 Jan. 1558, in which the same two names were returned in inverted order.] Small town seal, different from that used *supra* in 1521; the Castle, with large gateway, battlemented wall, and low corner-towers.

1571, 17 March, 13 Eliz.—Anthony Wyngfelde and Anthony Russhe, esqs. Seal, tower with gateway, two towers at the sides, on the one a flag-staff, on the other a beacon; with the initials of the Sheriff, E. W.[ithipolle] and of the under-sheriff, H. H[anam]. With the writ for the election, on paper.

1593, 5 Feb., 35 Eliz.—Edward Grimston, sen., esq. and John North, esq.

1640, 22 Oct., 16 Chas. I.—Sir William Platers, bart., and Sir Charles le Grosse, knt. Signed by Sir Simonds D’Ewes, then Sheriff of Suffolk. Two seals: i. two towers, with gateway between, no inscription; ii. a tower (?) with two stags as supporters, “Sigillum officii Majoris . . . for . . .”

1658, 14 Jan.—Thomas Edgar, esq., and Jeremy Copping, gent. (A duplicate of this return is cancelled by being cut through in the middle.)

1679, 5 Sept., 31 Chas. II.—Sir John Duke, bart., and Henry Parker, esq.

Some other indentures are in a parcel of leases of the 18th century.

1562, 29 June, 4 Eliz.—Covenant for re-roofing the parish church of Orford. Thomas Spicer and ten other “parochianors” sell to Robert Dameron and George Middleton, for £21, the roof of the church and the lead thereon, and 24 sheets of lead lying in the body of the church, to be carried away from time to time within one year and

Orford.

a quarter, without denial let or stop of any person or persons whatsoever ; a copy of an agreement made with Philip Capon, carpenter, of Capell, next Butley, dated 14 May, for the building again the said roof, to be given to the said Robert and George, who promise to set up a new roof able to cover the body of the church as agreed in the covenant with Capon, and to finish in timber, lead and necessities, workmanlike, with fair battlements, on this side the feast of All Saints, 1563, except Capon be ready to raise some part of his work ; in case of default of the latter to fulfil his agreement the said Robert and George may put his obligation in suit.

[This roof, having become dangerously decayed, has been replaced by a new timber roof within the last ten years.]

1575, 1 Feb., 17 Eliz.—Lease by Roger Sawyer and Robert Pootye, bailiffs, and the burgesses and freemen of the town, to Richard Francis, of the same, beer-brewer, of all the lands called the Town Lands [*severally and fully described*], to hold for ten years, at an annual rent of £4 10s.

1586, 6 Oct., London.—Letter from William Downyng, the representative of the borough in Parliament, to the Mayor and his brethren, thanking them for his election. He will willingly attend the Parliament, and perform the best office he can ; desires he may have good instructions, and some body to solicit as need shall require ; remits all demand of allowance for attendance, for he will bear his own charges.

1588, 30 Dec.—Acknowledgment by Thomas Squire and Robert Bense, bailiffs of Aldeburgh, of the receipt of £64 9s. 6d. from the Mayor and inhabitants of Orford as their share for the setting forth of a ship called *The Marygold* of Aldeburgh, with a pinnace of Donwich, for the late service of the Queen, of which sum Donwich contributed £25 in accordance with an order from the Council.

1593, 3 March, 35 Eliz.—Deed of sale by . . . Doonne of Ipswich, gent., to the Mayor and Portmen of Oreford of his moiety of the chapel called St. Thomas Chapel formerly, and now St. John's Chapel, in Oreford, and the moiety of four acres belonging to it, and of a ruinous tenement called *le Harmitage* ; which were granted to him and one Richard Hill by letters patent dated 11 June *an.* 3 Eliz.

A previous joint conveyance from Richard Hill of Heibridge, Essex, gent., and Robert Doone to John Love [Lone ?] and Robert Sawyer, of Orford, is dated 20 May 14 Eliz. 1572.

1593, 20 May.—Appointment by William Beversham, Mayor, with the Portmen and free burgesses, of Robert Bence and John Copping, two of the Portmen, for concluding all such acts as shall be thought convenient by learned counsel for the perfecting an agreement to be made with the Mayor, Aldermen, and Common Council of Newcastle-upon-Tyne. Sealed with a third seal, partly broken, of the town, different from the two above noticed ; a chevron, in chief a dolphin between two towers, in base —(?) ; inser., "Sigillum commune . . . coitat [communitatis] . . . Orefordia." See p. 266, *supra*.

1593, 1 June.—Indenture of agreement with the Mayor and Burgesses of Newcastle-upon-Tyne for exemption, upon payment

of £35, of the freemen of Orford from any larger or other custom-duties than are payable by the freemen of Aldeburgh or other places. Seal of Newcastle, broken. There is also a copy, on paper, of the articles of agreement.

Orford. —

1618, 3 Nov., 16 Jac. I.—Conveyance by Sir Michael Stanhope, of Sudbourne, to eleven trustees of an annual rent of £10 from the manor of Vallence for the relief of the poor of Orford; he “doth most earnestly desyre and charge the said Grauntees and all others to whom the said rent shall hereafter be conveyed . . . and the parsons or ministers, churchwardens, and overseers for the poore of the said towne of Oreford for the tyme beinge, that they and every of them from tyme to tyme doe in God’s his cause, and in compassion and charitye towards the said poore, religiously and carefully see that his gift hereby to the said poore given bee . . . bestowed upon the said poore according to his true meaninge, as they and every of them will answeare this trust to God at the great day of accompt.”

Of the counterpart of this indenture there is a torn fragment, with the signatures of the feoffees.

1620, 15 June.—Letter from Isaak Draper (?) and Nicholas Cuttyng, bailiffs of Yarmouth, to the mayor of Oreford, requiring payment of £2 10s. as the first proportion of a collection for the putting forth an expedition to sea ordered in 1618 for the suppressing of pirates, at the general suit of merchants, in accordance with a letter from the Council, of which a copy is given, dated in May.

Six receipts in the years 1632, 1633, 1638, 1645–6–7, for the fee-farm rent of 12*d.* due to the Crown for the Chapel of St. John.

1679, 29 Sept.—Articles of agreement between the Mayor and Commonalty and Daniel Wayth of North Glemham for the repair of the key and wharf.

1688, 17 Oct.—Printed proclamation of James II. for restoring to Corporations their ancient charters. See p. 257, *supra*.

1693, 7 March.—Warrant (in Latin) to Joseph Hastings to seize all cables and anchors recovered from the sea within the jurisdiction of the Vice-Admiral of Suffolk as being perquisites of the Admiralty.

Coloured map, without date, but executed in the 18th century, of the whole course of the Orwell river from Snape bridge to the mouth of the Haven, with the surrounding district to Rendlesham, Eyke, and Brumswall, on the west, on the scale of a mile to an inch.

1824, 23 April. London.—Letter from Admiral Isaac Coffin to the Chief Magistrate of Orford enclosing specification and description of his patent for taking mackerel; requesting that if found beneficial twenty pounds may be sent him.

A parcel of twenty-three Rolls of the Court of Record held fortnightly on Saturdays, in the years 1589–1595, during the Mayoralties of William Gowltie, Robert Pootie, Peter Love, John Copping, William Beversham, Robert Bence, and William Gowltie (again).

The rolls from Nov. 1589 to June 1590 are wanting.

1592, 11 March.—John Preston sues Robert Hawfen, mariner, for 100 marks damages by the burning of his house and goods caused by the said Robert’s neglect in watching his fire. The case

Orford. — was protracted until 16 June, and then judgment was given for Preston for £4 damages and £4 0s. 4d. costs, all which were paid in July.

1594, 26 Jan., 36 Eliz.—The price of beer was fixed by the Mayor at 7s. 4d. the cask or barrel, and 3s. 8d. the half-barrel.

Several copies of apprentice indentures are entered on these rolls.

A bundle of papers filed in the Court in 1623–9; warrants, indictments, pleas, bills.

In a parcel of bills and Chamberlains' accounts, chiefly of the eighteenth century, are lists of persons rated for the poor in Dec. 1645 and in 1671–2, of local interest for the number of rateable inhabitants and the assessment value.

A parcel of seventeen indentures of apprenticeship and bonds for their fulfilment; 1587–1644.

Four of these relate to girls bound out for eight years as servants, to be instructed in housewifery. In the first, in 1624, the master and mistress are bound, *inter cetera*, "in due manner of correction to chastise her charitably for her offences committed"; in the second and third, in 1628 and 1630, this is changed to "shall teache and instructe by due manner of chastisement"; but in 1631 better terms are used, "to teach and instructe . . . in all kinde of huswifery which her dame use according as the capacity of her witt will serve her to learne and take the same." The singular Christian name of *Avern* belongs to the girl in this last case.

A small parcel of acquittances to the collectors of subsidies in several years of the reigns of Elizabeth, James I. and Charles I.

A parcel of certificates under the Test Act, of reception of the Holy Communion in the years 1704–1719, signed by the ministers of the parish and the churchwardens; presentations by juries; and licenses for alehouses.

Three volumes of Chamberlains' Accounts from 1713 to 1889.

A small oblong volume containing admissions of eighty Freemen in the year 1711.

RECORDS

OF

THE CORPORATION OF ALDEBURGH,

IN THE COUNTY OF SUFFOLK.

THE history of this town as a corporate borough goes no farther back than to the reign of Edward VI. Originally it formed part of the possessions of the see and priory of Ely, as witnessed by charters of bishops Hervey and Nigel in the twelfth century; it, however, at some later period became attached to the adjacent Priory of Snape, and appears among its possessions in the *Taxatio* of Pope Nicholas in 1292, but only two documents remain among the records of Aldeburgh that testify to this ownership. On the suppression of the priory by Wolsey in 1524 he transferred its possession to his new foundation of Cardinal College in Oxford, but on his fall it was granted by Henry VIII. to Thomas Howard, Duke of Norfolk. Reverting to the Crown upon the Duke's attainder in 1547, it was at last created a borough by a charter of incorporation granted by Edward VI. in the same year. The original of this Charter is lost, but it is recited in an *Inspecimus* by Philip and Mary in 1554. A fee-farm rent of twenty shillings was reserved to the Crown, which appears to have been subsequently granted to Bishop Ward's College of Matrons at Salisbury.

The early records here calendared are preserved in a fire-proof safe in a cupboard in the Moot Hall, a most interesting and picturesque building standing conspicuously near the sea, from incursions of which it is protected by the shingle-bank. The rooms on the ground-floor of this small but precious relic of the latter half, probably, of the 16th century, were, within memory, used as dark prison-cells, while the upper room, the Hall, is reached by a wooden staircase on the outside. A worm-eaten chest, coeval with the building or older, is not now used as a repository, but in the lower room two chests are filled with papers of the 18th century, leases, rolls of certificates of the taking the oaths on admission to offices, indentures of apprenticeship, bonds, and other formal documents. A large mass of similar papers of the 19th century is in the office of the Town Clerk, Mr. H. C. Casley, at Ipswich. That gentleman has also in his office the two Order-Books of the sixteenth and seventeenth centuries, and the Chamberlain's accounts for 1649-50, as described below, together with lists of freemen, and a folio volume containing the forms of oaths taken by the burgesses, translations of the Charters of Q. Elizabeth and James I., opinions of counsel

Aldeburgh upon cases arising therefrom, declarations against the Solemn League and Covenant from 1685 to 1711, copies of the wills of benefactors to the town, and other official entries. The late and current minute-books are also of course in his custody. The town is now governed by a mayor and corporation, by a new Charter granted in 1885 under the Municipal Corporation Act of 1883, 46 Vict.

W. D. MACRAY.

CHARTERS AND ROYAL DOCUMENTS.

1524, 7 March, 15 Hen. VIII.—Letters addressed to all Crown officers, reciting the rights and privileges granted to the Bishop and Prior and Convent of Ely, and ending with the following clause: “Vobis et cuilibet vestrum mandamus quod venerabilem patrem Nicholaum nunc Episcopum loci predicti, ac dilectos nobis in Christo nunc Priorem et conventum ejusdem loci, necnon homines et tenentes suos de Aldeburgh hujusmodi libertatibus, franchisesis, privilegiis, quietanciis, et immunitatibus predictis uti et gaudere permittatis.” Seal much broken; white wax.

1529, 13 Feb. 20 Hen. VIII.—Letters of Hen. VIII. reciting all the rights and privileges granted to the Dean and Canons of the College of Thomas Wolsey, Cardinal of York, commonly called *Cardinale College*, and ending with the following clause of direction to all the crown officers: “Vobis et cuilibet vestrum mandamus quod ipsos nunc Decanum et Canonicos, necnon homines firmarios et tenentes suos, integre tenentes et non integre tenentes, residentes et non residentes, ville sue de Alborowe alias dicte Aldeburgh in com. Suff. omnes et singulas concessiones, libertates, franchisesas, jurisdictiones et quietancias predictas in forma predicta concessas per totam terram et potestatem nostram libere, quiete et pacifice habere, tenere, exercere, ac eis et earum qualibet uti et gaudere permittatis, juxta vim, formam et effectum literarum nostrarum predictarum, ipsos nunc Decanum et Canonicos aut tenentes suos ville sue de Alborowe predictae seu eorum [quemlibet] contra tenorem earundem non molestantes in aliquo seu gravantes.”

1554, 22 Nov. 1 and 2 Phil. and Mar.—*Inspeximus* of the charter of Edw. VI., incorporating the borough of Aldeburgh, designating as the first two bailiffs Alexander Falke and John Colvyle, and appointing the annual meeting for election on the Nativity “in Guihalda”; dated at Westminster 19 Dec. *an. i.* (1547). Fragment of the great seal.

1559, 4 June. 1 Eliz.—*Inspeximus* of the preceding charter of Philip and Mary. Seal much broken.

1568, 21 Oct. 10 Eliz.—Letters patent conceding license to Thomas, Duke of Norfolk, the lord of Alborough, to have a weekly market in the town on Saturday with a court of Pie-powder (“*pedis pulverisati*”), on the grounds that the town “*ad presens populosior sit solito, navibusque ac nautis pre ceteris villis super costeram [maritimam] seituatis multo locupletior, peneque omnes ibidem inhabitantes sese piscationi diligenter ac negociacioni per mare dent, ita ut per eorum industriam ea villa seu pars regni nostri que temporibus preteritis predonibus, piratis et hujus regni hostibus*

ob defectu[m] nautarum ac navigiorum obnoxia fuerat, jam ad sese Aldeburgh eandem partem tuendam forcior ac validior devenerit, ac ad omnia servitia et officia nobis regnoque nostro grata et acceptabilia temporibus oportunis parata sit."

1576, 4 June. 18 Eliz.—Exemplification of an Exchequer record of Hilary term *an.* 15, that whereas the Clerk of the Market and the burgesses of Alborough had incurred several fines for having weights and measures not in accordance with the Standard, they had upon pleading the Charter of Edw. VI. and the privileges therein conveyed been exonerated. Very poor impression of seal, broken.

1587, 8 Nov. 29 Eliz.—*Inspecimus* of an extract from a terrier in the time of Henry VIII. of the lands of dissolved monasteries assigned by Wolsey to Cardinal College in Oxford, as follows:—"Aldeburgh, *inter alia*. Item, a salte marsshe lying betwyxte the stooness of the sea on theaste parte and the haven on the weste, and butteth on Slaughtinge toward the northe and the greene dyche towarde the sowthe, conteyninge on hundred and fortie acres."

1606, 1 Sept. 4 Jas. I.—Charter, granted at the petition of the bailiffs and burgesses, incorporating the town as a borough "pro custodia pacis," with two bailiffs, ten capital burgesses, and twenty-four inferior burgesses, &c. Two large sheets. Seal in a tin box.

1637, 6 April. 13 Chas. I.—Charter granting additional privileges: a Recorder, Common Seal, &c. Five large sheets. Poor impression of the seal, broken.

REGISTERS AND RECORDS.

1. Order Book, marked A, in large quarto; containing the orders made by the Bailiffs and Burgesses from 1549, 3 Edw. VI., to 1631. Written on 27 vellum leaves; an index of contents follow. At the end, and on a parchment wrapper (which is a fragment of a plea in a suit respecting the will of one Robert Nellson, bailiff in 1595 and 1606, of which Edmond Jordan was an executor) are attestations of the exhibition of the volume in Chancery suits in 1696 and 1815. The first ten leaves, to the year 1593, are written by one hand; and the remainder by several hands of later dates. The orders relate to all matters concerning the government of the town and the regulation of the fishery; election of officers, straying of swine, geese, ducks, and lambs, trading of non-freemen, the markets, etc. Various orders are noted, probably by the Recorder, as being void because contrary to statute-law, and some are altogether struck out.

1564.—Ordered, "for the more reverence to be done to the Ballives," that all the burgesses attend at the Guild hall on Michaelmas day at the second peal of the bell ringing to morning prayer, and thence accompany the Bailiffs to church, the Twelve Burgesses to follow the Bailiffs in couples according to their "antiquitie," and the twenty-four Burgesses in couples to follow the others. This order was modified by one made 8 Sept. 1618 (f. 1).

1549.—Order that if any one having a boat go to sea on Christmas Day before the sun setting, or on any Sunday between St. Martin and Twelfth Day before twelve

o'clock, or be driving of sprats upon any Saturday after 8 o'cl. in the afternoon and not come to land he shall forfeit twenty shillings. "This order is subscribed with the marks and hands of XLIII. of the inhabitants of this towne"; but in the margin is this note, "Quere yf this be not againste the profit of the common people, and so voide by statute of 19 H. 7." f. 1b.

Digging sand at the Fire Tree Hill under the Churchyard pale or at Hongerdong forbidden under penalty for the first time of thirteen shillings to the town and four shillings to the "presenter," and for the second time of twenty shillings and four shillings. Noted in the margin, "Yf this order hath not byne used by the habitants by tyme of lymytacōn, than it can not be." f. 2.

1552.—Argeement between the Bailiffs and Burgesses and Sir Thomas Whyght, the Vicar, that every fisher laying 36 "dooles" and upwards shall lay out half a dool for the Vicar, 26 dools a quarter and a half, and under 26 dools a quarter, and no more. *Margin*: "This byndeth not the successors of Sir Tho. White without ther consents." f. 2b.

Order that whosever is found an offender and committed to ward or free prison shall for his offence pay at his first entrance into the Guild hall 12*d.* for the town's use, and also 4*d.* for every day that he continues in ward. *Margin*: "This order is against the Statute made in the 23 H. 6." *Ibid.*

All foreigners occupying within the town to pay "all manner of skootts, lottes, tonnages, taxes, tallages, dooles, and other duties," upon pain of imprisonment, and fine at the Bailiffs' pleasures. *Margin*: "By this order the offender maie be imprisoned during their lyves and paie excessyve fynes, which is againste reasone." f. 3.

1555.—An order against free discussion of affairs in the town before outsiders affords an amusing example of the jealousy with which the newly established governors regarded criticism of their doings. "An order for all those that are talkers of the priviledges in inconvenient places. Whereas before this tyme we have ordeynede diverse good and wholsome Statutes and Lawes within this Towne for the good govermente and mayntenaunce of the same, that notwithstandinge diverse wilfulle persons attemptinge willfullie to breake the same, debatinge for their excuses that that (*sic*) they never consentede therunto: For reformatiō therof be it establishede and ordeinede by the hoole consente of the bodie of this towne here assemblede this daie of eleccōn, That all and everie ordere and ordinaunce whatsoever that shalbe hereaftere devisede made and establishede or that is alredie devised made and establishede by the hole consente of the bodie of this towne or the moste part of them assemblede together upon the eleccōn daie,

or els at any other tyme when the most part of them shalbe assemblede together here in this howse, shall then stand good and effectual, and not againe to be undone or altered but by the hoole consent as is aforesaid, etc. Alsoe whereas diverse of the felloweshippe of this howse heretofore have usede undiscretlie and undecentlie to raile, jeste, talke, utter and debate upon the doinges privileges and counsailes of this towne, and that in opene tavernes before those aswele that nevere came in this towne as other neare neighborws, to the greate reproofe and shame of all the howse, and in speciallie of the heades for sufferinge of the same; For reformatiō hereof be it established and ordeyned within this towne, That whosoevere hereaftere shalbe knowne or fownde an offender to utter, talk, debate, raile, or jeste, either in opene tavernes or where ther talke maie be hard of those that be not free of this howse, either againste the heades of this Towne, the preveleges or counsailes of the same, or of anny other matter, causes, or cases here in this Howse spokene of or debated for the regemente of this towne, That for the firste tyme he or they begynninge or procuringe the same shall suffere imprisonmente, and make fyne at the Ballyves pleasure for the tyme beinge; and for the secound tyme to bee disfranchisede, and not to be admittede againe untill the hoole bodie of the Towne shall agree unto the same, makinge suche fyne as shalbe thought requisite by the said hoole bodie or the most parte of the same. [*Margin* : "The tyme of the contynuance in prisone and the certeyntie of the fyne wold be expressed."] And also the leke paines and penalties shall ronne and be unto all those free Burgesses than and ther beinge presente and hearinge the suche talke as is aforesaid, and doo conceale and not opene the same or cause the same to be openede and declarede unto the Ballyves for the tyme beinge at the next Assemblie and metinge in this howse after suche kynde of mysdemenor had and made contrarie to thordor afore rehearsed. Alwaies provided that this Acte and ordinaunce aforesaid, nor anny thinge therein conteynede, shall not be hurtfull or prejudiciall to anny manner of persons free of this howse haveinge good cause to assemble and gather themselves together in some secrette place or places to debate, reasone, and quietlie to talke upon matters concerninge the Townes affaiers necessary to be reformed, for the good preservaciō of this towne and governinge of the same, Soo that it be done in suche quiete as forreners and other not free of this Towne have not cause to speake evill thereof, and the counsaile of the Towne not disclosede." ff. 3b-4.

[1557, 1558 ?].—No freeman to commence any suit against another freeman until first he have brought the matter

- before the Bailiffs to the intent that they may make an end of it without any further charges; failing which, no suit shall be commenced except within the Court of the borough, and not elsewhere, under pain of a fine of 20s. *Margin*: "The lawe is that no subjecte ought to be restrayned from justice when injustice is offered; therefore I thinke this order is againste the lawe." f. 4a.
- 1562.—An annual tax of 3s. 4d. on all carts used as carriers "for everie manes neede." f. 5b.
- [c. 1570 ?].—No lodgers to be taken in by persons within the town without licence from the Bailiffs, under penalty of 10s. f. 6b.
- 1572.—The twelve Burgesses to keep their seats appointed in the north Chancel upon Sundays and other festival-days during the time of service, under penalty of 5s. f. 7.
- 1573.—Victuallers or tipplers having any men's servants resorting to their house in the evening shall not suffer them to remain after 8 o'clock, under penalty of 5s. f. 7b.
- 1577.—Carters carrying loads to or from Slaughting not to take more than 6d. a load for the South ward, 7d. for the Middle ward, and 8d. for the North ward, under penalty to both the givers and takers of the value of the loads. f. 8b.
- [1580 ?].—No Bailiff during his time of holding office to travel by sea or land so as to be absent from the town above one month, except it be upon the town's business or some other great and urgent cause, under penalty of £10. f. 9b.
- 1592.—Persons refusing or neglecting to pay the town duties due from them, and not appearing when summoned before the Bailiffs to give their reasons, to be imprisoned until payment is made, and also to pay a fine of 20s. f. 10b.
- Order made "by greate and deliberate conference and moste carefull advisemente" that any burges who refuses when elected as Bailiff to use the office shall forfeit £20. f. 11.
- 1590.—"Where[as] the sea dailie wynnethe of the land againste this Towne to the greate endaungeringe of the same, the causes of whiche greate inconveniences the Inhabitauntes endeavoringe what lieth in them to avoide, and perceiving as well mucche sand as stone dailie fetchted from the sea-side into the Towne, whereof mucche is ymployede in vaine and needles uses, to the leasinge of the same where ells it mighte stande insteede for some defence againste the sea, yt is therfore this presente daie by consente of the hole howse ordered, that neither stone nor sand shall hensforthe be fetchede from the seaside againste this Towne for anny uses, and that whosoevere being howsholdere shall fetchte or cause to

be fetchede anny sand or stone thence contrarie to this Aldeburgh said ordere" shall forfeit for every such offence 3s. 4d., "and that everie child and servaunte that shall so offende withowt the privitie of their parents, maisters, or dames, shall for everie suche offence suffere imprisonmente at the discretione of the Bailies." f. 12.

- 1595.—Whereas great charges have been bestowed in making seats in the Church for the Bailiffs and Burgesses, the reason being that they should be decently placed, and also for that there were not seats or places sufficient to receive the people, it is therefore ordered that if any of the xii or xxiv Burgesses, being in the Church, shall not every Sunday and every holiday sit in their appointed seats, the former shall for every default forfeit four shillings and the latter two shillings; and also that if any one of their wives shall not sit in the seats appointed for them, then the same forfeit shall in each like case be incurred; unless with regard to both the Burgesses and their wives exception upon reasonable cause be allowed by the Bailiffs and the house assembled. *Ibid.*

"For that greate charges doe dailie rise and increase for divers and sondry causes, whereby the inhabitants of the Towne are inforsed to considere howe suche charges maie be borne and in what maner money maie be with equitie, reason, and justice gathered," it is decreed that every hoie that shall begin any voyage to Nerve (?) or elsewhere after Michaelmas day shall pay half the winter's tonnage "althoughe such hoie or hoies shall make but one voiage in a wynter anny yere," and if they continue all the winter shall then pay the whole winter's tonnage. f. 13.

- 1598.—Order, for like cause, that every free inhabitant that shall go after the f. of St. John Bapt. fishing into the Skarborowe seas shall pay yearly 2d. for every dool, and foreigners shall pay yearly 6d. for every dool. *Ibid.*

[1606].—The town being very populous and much surcharged with poor people, and many owners of houses having much impoverished it by letting their houses to out-towns' men having many children and being of very poor estate, it is ordered that no man let any house to any person dwelling out of town without consent of the Bailiffs under penalty of £3. f. 14b.

[-?] In the time of Henry Cheney and Robert Marshall, bailiffs].—Order against the casting muck, compes, ashes, coal-dust, sweeping of houses, and other noisome things into the streets, lakes, foot-paths, &c., of this "burrough," under penalty of 3s. 4d. f. 16.

- 1628.—Order that if any person elected to be bailiff, capital burgess, or inferior burgess, shall refuse to take office, they shall forfeit these sums of money, the bailiff £20, the capital burgess £10, and the inferior burgess £5. f. 17b.

1631-2, 17 Jan.—Bailiffs not to be absent on election day, nor at any other time by the space of a month together, under penalty of £10. f. 25.

For the better decent order and habit of the Bailiffs and Chief Burgesses, and that they in their several offices may be known and distinguished from other free burgesses, and for the more credit of the Town, it is ordered that the said Bailiffs and Burgesses shall every of them before the feast day of Easter next, "make him a comelie and decent gown of blacke cloth or black stuff, faced with furre, and garded about with velvett or ballimonte lace, the sleeves thereof to be laid with the same lace," to be worn upon "the Saboth dayes or Sonndayes" at the Church, and at all times of meeting at the Hall; under penalty of five shillings for every time of offending. f. 22b.

The oaths on admission as bailiff, freeman, and chamberlain. f. 26.

To almost all the orders the names of the Bailiffs in office at the time are added in the margin.

2. Order Book marked B, in folio, 1643-1746. On vellum, 13 written leaves and 15 blank, and 4 additional at the end. Bound in parchment. On a fly-leaf is a memorandum of its exhibition in Chancery on 14 Jan. 1695 and 22 April 1696, and, on the cover, of like exhibition on 5 April 1815.

1643, 29 Sept.—"Whereas heretofore our usuall Fewell and Firinge in this Towne have bin sea coales and wood, and now by reason of restraynte of trading to and from Newcastle that Fewell of coales cannot be had, in leiw whereof many of the inhabitants of this Towne buy and burne Flagg and Heath, the ashes whereof being verye dangerous to this Towne yf they should bee cast into the streete, muckell, or any other place amongst or neere any howses or other materialls which are subiect to take fyer . . . it is now ordered and decreed by the now Bailiffes and greater part of the Capitall Burgesses," that no one shall henceforth cast any flagg or heath ashes or ember into any street, muckhill, or other place, but that all shall be carried to the seaside and cast into the sea, under penalty of 3s. 4d. f. 1.

1644, 9 Oct.—All artificers, inhabitants and resiants, freemen, unfreemen, and strangers, to pay the taxes levied to the use of the town (divers having refused to pay them), under penalty of ten shillings for every time of offending. f. 1b.

No orders are entered between the above dates and the next.

1650, 8 Sept.—Whereas it was ordered 17 Jan. 1631 that all the Bailiffs and Burgesses should wear their gowns upon "Sabboth" days at the Church and at all times of meeting, but some of the Capital Burgesses by reason of old

age, weakness of body, and other infirmities are not able to wear their gowns every Sabbath day at Church as formerly, the order is now as regards the Sundays limited to the Bailiffs, and with regard to the Capital Burgesses limited to Election day and General Sessions day; the said Burgesses "not to weare gownes to Church every Sunday or any other meetings att the Hall excepting the tymes abovesaid for the reasons aforesaid except they please." f. 2*b*.

- 1653, 5 March.—"Whereas now of late it is become a usuall course to carrye fier upp and downe the streetes within this Towne and Burrough in fier shovells, chafendishes, and other open things, whereby in windy weather it is verrye dangerous and likely to set the houses on fire if not timely prevented," it is therefore ordered that such fire shall be carried in warming pans or other close things, under penalty of 3*s*. 4*d*. f. 3*b*.
- 1659, 26 Nov.—"Agreed (in pursuance of a grant from the late King Charles for the establishing a Free Schoole within this Burrough, [which] hath yeilded out of the revenues of the said Burrough thirtye pounds per annum to bee payd quarterlye to Mr. Samuel Savage . . . for teaching of the free mens sonnes of the Towne, they being made formerlye capable of reading the Psalter,") that if any dissatisfaction arise on either side between the Schoolmaster and the Bailiffs and Burgesses so that there shall be any cause of partition between them, that then each party shall give the other six months' warning. "Mr. Samuell Savage hath the original of this under the Towne seale." f. 4*b*.
- 1662, 29 Sept.—Great loss and suits having risen by the lending of great sums of money by the Bailiffs and Burgesses without good security, it is ordered that it shall not be lawful to lend any sum upon bond above £50 to any person unless an able man be bound with him. f. 5.
- 1686–1694.—Several orders respecting the key at Slaughting. ff. 5–8*b*.
- 1732, 13 Oct.—Order respecting the election of a Fen-Reeve and the management of the marshes. f. 9.
- 1734, 3 Aug.—Orders made in consequence of non-payment of dues for the pasturing of cattle, and of the enterling of cattle under false names, "for the preventing such vile practices for the future." f. 10.
- 1736, 3 Sept.—An ancient custom whereby every Bailiff claimed a right to give away a freedom to one man, called an *Ex-Officio* man, having proved a prejudice to this Corporation, it is ordained that the said custom do cease. f. 12.
- 1740–1, 12 Feb.—It having been found by long experience that Bailiffs have ordered entertainments to be made at Public Houses, and have employed tradesmen, workmen,

and others to do divers repairs and works, and unreasonable bills and demands have been made, payment of which by the Chamberlains has been ordered by the Bailiffs, without duly surveying the work or examining the bills, it is ordained that for the future no Bailiff or Bailiffs shall have power to order any work to be done, or any treat or entertainment to be made, or any sum of money to be paid upon his or their sole order upon any pretence whatever, "unless immediate necessity require for the Sluice, or Marsh wall, to prevent an inundation, or any fence broke down so that cattle may get out of the marsh or marshes." f. 13.

The last four orders have the signatures of the Bailiffs and Burgesses present attached.

At the end of the volume are the oaths of the Bailiffs, Justices, Coroner, Chamberlain, and Sergeants at Mace, in MS., and those of the Capital Burgesses, Inferior Burgesses, and Freemen, in print, dated 1730.

3. Acts of the Assembly of the Bailiffs and Burgesses from 1697 to 1817.

- i. An unbound volume, in which the Acts (which are chiefly comprised in the elections of officers, &c., and admission of burgesses) for the years 1697-1720 have been transcribed into the latter part.
- 1729, 2 Feb.—Order that Mr. Bailiff Wall shall take the charter of K. Charles I. in 1638 [*sic*, for 1637] to London to be translated into English.
- 1731, 24 Aug.—[Admiral] Sir Charles Wager, knt., elected a free burgess.
- ii. Acts from 1737 to 1755. Loose, and sometimes tattered and water-stained, leaves.
- iii. Acts from 1756 to 1768.—Eleven leaves. At the end is written: "Here ends the old Assembly Book," which seems to imply that these leaves contain original minutes which were afterwards copied into a book; and this book is no doubt a volume extending from 1697 to 1768, which is now kept in the office of the Town Clerk at Ipswich, which is the complete Register. George Crabbe, the father of the poet, was admitted as an Inferior Burgess in 1756.
- iv. Acts from 1768 to 1817.—On 6 Jan. 1812 John Hindes Groome, clerk, was removed from his office of Capital Burgess, for corruptly offering to Sir Claude de Crespigny to resign his office, and consequently cease from offering some (unspecified) opposition to Crespigny in the Corporation, if the latter would procure for him presentation to the benefice of Stratford St. Andrews', worth £100 per an., tenable with his own living of Earl Soham, "the present incumbent of which lies in a very deplorable state of debility and insanity," or any other living of the same value in the diocese of Norwich;

he says also in his letter to Sir C. de Crespigny that the Aldeburgh rector of Holton, a living in the gift of the Lord Chancellor, died about a fortnight before, but that that is probably disposed of. —

On the same day it was ordered that, whereas the Corporation has not at present any funds or property whatever, every person admitted to the freedom of the borough should pay £5.

1814, 18 Oct.—Ordered at Quarter Sessions, upon a presentment from the Grand Jury that the “goal” was out of repair, that enquiry be made by a committee as to the repairs necessary, if it shall appear that in its present site it can be adapted for the purpose of a prison “consistently with the safe custody, health and necessary comfort of the prisoners.”

A small quarto volume contains a copy of the Acts from 4 May, 1779, to 4 Jan., 1812. The subsequent books are in the custody of the Town Clerk.

4. Copy-Book of letters written to and from the Corporation in the years 1625–1663; ff. 138, bound in calf, repaired in the present year 1905.

1. Letter from the Duke of Buckingham, desiring that a ship, the *Rainbow*, Thomas Johnson, master, now in the harbour, which has 14 pieces of ordnance, be sent with all possible speed to Harwich for the King's service.— Ipswich, 29 Oct. 1625. f. 1.
2. Answer of the Bailiffs; the ship is not fit for sea until repaired, which cannot be done here, and most of the owners live in London; same date. *Ib.*
3. Reply from the Duke; marvels at their backwardness; is informed the ship is in good condition; requires that it be sent to-morrow morning, all excuses set aside; it is needed to repress the Dunkirks and prevent the spoil they may do. Endorsed six times with the words “hast” and twice with “post”; “att past 3 a clocke in the afternoone.” f. 1b.
4. Second reply from the Bailiffs; have had men working all night at the repairs, but cannot get men to man the ship; desire a commission to press them.—1 Nov. f. 2b.
5. From the Duke; finds from the Master of the ship that it cannot be made ready, and therefore releases her.—1 Nov. f. 3.
6. From the Council to Yarmouth, requiring provision of two ships by the towns on the coast, to guard against “the vast ambition and malice” of the King of Spain.—30 June, 1626. f. 5.
7. The Bailiffs of Yarmouth to the Bailiffs of Aldeburgh, desiring them to come, in pursuance of the preceding letter, to a conference forthwith, the service being of great import and dangerous and imminent; 18 July, 1626. f. 6b.

8. Letter from the Council, warning the towns to prepare in all possible ways for defence against invasion, as the King of Spain is said to be preparing a puissant army by sea and land for the purpose, so that suddenly an attempt is expected, and "you, as next the danger, will be most concerned herein." If any considerable number of ships be discovered upon the coasts, the beacons are to be fired to warn the adjoining counties, and immediate word to be sent to the Council.—19 July, 1626. f. 7.
9. Certificate from the Deputy Lieutenants of the County to the Council for assistance for Aldeburgh. 1. The town is within 12 hours' sail from Dunkirk, and the passage thence is without danger of sands. 2. The shore is so deep that by boats and sloops 10,000 men may be landed in an hour's time, and the town may be pillaged before the country can come to their aid. 3. There is no bulwark or fortification, but only eight pieces of small iron ordnance, all honeycombed and not fit for service; and the town being one of the greatest in that part of the country for trading by sea, and situate next the common passage for ships to Newcastle and other parts of the North, has great need of fortification. 4. A fleet may ride within musket-shot of the town, and the shore being all beach and shingle, upon which the pieces of ordnance stand open without any shelter, if a shot come from the enemy and beat upon the shingle it will hazard to kill the gunner and all those about him or at least drive them from the ordnance. 5. In the time of trade the greatest part of the inhabitants being sea-faring men are gone to sea, and the town is destitute of any great number of serviceable men unless some fortification be made. 6. The town has already been at great charge in mounting the said pieces of ordnance, although they be of little use, and is not able to fortify itself, being of late much impoverished. It is therefore desired that three redoubts may be made on the shingle, and two half-moons on the hill, wherein ten demi-culverins may be placed, of 11 foot long, two in every work. f. 8.
Hele's *Notes about Aldburgh*, 1890, pp. 31–3.
10. Letter from the Town to the Council, embodying the substance of the preceding certificate, in answer to the Council's letter of 19 July. f. 9.
11. The Council to the Bailiffs and Aldermen of Ipswich.—Having at the petition of the magistrates of Ipswich, Harwich and Woodbridge discharged them of one of the three ships formerly directed to be furnished, and granting them a contribution from the county of a moiety of the charge for the two, and have directed the Lord Lieutenant to impress as many serviceable men as are needful for the full complement of the ships, they

now order an assessment to be made upon these towns Aldeburgh
and all the other maritime towns and villages for their share.—29 July 1626. f. 10. —

11. The Bailiffs of Ipswich to the Bailiffs of Aldeburgh, desiring them to come on Tuesday next to confer upon the execution of the preceding letter.—3 August 1626. f. 11.
12. The Bailiffs of Ipswich to the Bailiffs of Aldeburgh, desiring them to collect the sum of £26 in part of their share.—8 Aug. 1626. f. 11b.
13. The Deputy Lieutenants (John Barker and Henry Glemham) to the Chief Constable of the Hundred of Plomersgate forbidding, in pursuance of directions from the Lord Lieutenant, the levying any money for the town of Ipswich for which they have issued warrants, they having very much exceeded their authority herein; and directing the waiting for orders from the Lord Lieutenant.—7 Aug. 1626. f. 12.
14. Sir Lionel Talemache, Vice-Admiral of Suffolk, to the Constables of certain parishes, directing them, in accordance with orders from the Lord High Admiral and the Council for a survey of ships and muster of mariners, to warn all such seamen, as masters of ships, pilots, gunners, mariners or fishermen, to appear at Aldeburgh on 16 Aug., to be impannelled as a jury for enquiry.—7 Aug. 1626. f. 13.
15. The Council to the Bailiffs of Yarmouth, easing them of two third parts of the two ships, of which one third is to be levied on the county of Norfolk and the other on the city of Norwich, and directing the town to be assessed for the remaining third.—31 July 1626. f. 14.
16. The Bailiffs of Yarmouth to all the members of that port desiring them to meet on 17 Aug. to confer about the assessment of the third part.—10 Aug. 1626. f. 15.
17. Reply of the Bailiffs of Aldeburgh. The third is to be assessed upon the county of Norfolk, not Suffolk; Aldeburgh is assessed with Ipswich; they desire therefore that Yarmouth will forbear, until it be agreed with Ipswich, to trouble them.—15 Aug. 1626. f. 16.
17. Sir John Wentworth to the Bailiffs. A meeting being summoned at Stow Market upon the 13th inst. about the contribution demanded for the two ships, he and Sir Henry Glemham wrote to the Earl of Suffolk to show the great loss the coast towns have received of late from the Dunkirks, and how by that means they are disabled from contributing, but they perceive by an answer from the Lord Admiral that he conceives the harm done by the Dunkirks has been very little, and nothing proportionable to what they have heard; they desire therefore to have a certificate of the losses sent them before the meeting.—Somerletowne, 10 Sept. 1626. f. 17.
18. Reply of the Bailiffs, enclosing a certificate. If the

- Dunkirks be suffered to go on, they will bring misery, beggary, and utter desolation to all upon this coast.—12 Sept. 1626. f. 18.
19. The certificate: The *Mayflower* was taken on 5 March; the *Nightingale* in August; the *Hopewell* also in August; whereas in former years 35 or 36 ships went yearly to Iceland and Farry [Faroe], this year only eight went, of which two were taken; the trade to Newcastle is much hindered. f. 18b.
 20. The Bailiffs of Yarmouth to the maritime towns of Suffolk proposing the fitting out of two or three ships, with 50 or 60 men in each, and twelve pieces of ordnance, for the protection of the herring fishery which is principally robbed by ships from Dunkirk and other parts of Flanders, and desiring joint contributions.—16 Sept. 1626. f. 19b.
 21. Letter from the Bailiffs of Southwold to the Bailiffs of Aldeburgh. They laid out in suing for waftage £37 8s. 3d., though the success was not to expectation; it was done with the promise from [Aldeburgh] of bearing half, which is £18 14s. 1½d., but only £5 have been received; they ask payment therefore of the rest.—29 Sept. 1626. f. 20b.
 22. Particulars of the money laid out by Southwold in their suit [at London] for waftage. f. 21.
 23. Reply of the Bailiffs of Aldeburgh. Surprised that their supposed part should come to so much, being but one town out of four; they never heard but once of the proceedings, and rather expected that something would be repaid from what had been received.—29 Sept. 1626. f. 21b.
 24. Warrant from Sir John Prescott, the High Sheriff, for a meeting at Ipswich on the 12th inst. of all freeholders and subsidy-men, for the levying of the King's subsidy.—6 Dec. 1626. f. 22.
 25. Petition from the maritime towns to the Lord High Admiral and the Privy Council for ships of war for wafting the fishing vessels and scouring the coasts, with list of all the petitioners' names from the several towns. f. 22b. [ff. 25, 26 blank.]
 26. The Earl of Warwick to the Bailiffs. Has written to the Secretary of State and the Lieutenant of Dover for the exchange of prisoners for the redemption, as the Bailiffs desire, of B. Davison and John Catmer.—31 Dec. 1626. f. 27b.
 27. Order by the King in Council for the setting forth of four Newcastle ships for waftage, in accordance with the above petition. f. 29.
 28. Letter from the Duke of Buckingham forwarding the Order in Council.—9 Jan. 1626[-7]. f. 29b.
 29. His letter to the Commissioners of the Navy thereon. Same date. f. 30.

30. Order from Sir Henry Glemham to the collectors of the Aldeburgh money raised in the county by way of loan to the King respecting the defraying the cost of the ships out of the first moneys raised by them.—22 Jan. 1626[-7]. f. 30b. [f. 31 *blank*.]
31. Warrant from Henry and John Glemham for summoning all seafaring men, their sons and servants, meet to serve the King, to appear at Woodbridge on 4 Apr.—Glemham, 1 April 1627. f. 32.
32. Agreement between the inhabitants of Aldeburgh and the inhabitants of Parham that the former shall maintain and bring up John Cooke, youngest son of William Cooke, deceased, and the latter shall in like manner maintain William Cooke, the eldest son.—16 Apr. 1627. f. 32b.
33. Order at Quarter Sessions confirming this agreement. 13 May. f. 33b.
34. Like order for sending Richard Davison, son of Richard Davison, deceased, to Blythburgh to be provided for.—23 May. f. 34.
35. Particulars required to be furnished by such towns as desire to have ordnance at the King's charge. f. 34b.
36. The dangerous estate of the town of Aldeburgh; a note by Mr. Benham of Ipswich. f. 35.
Hele's *Notes*, p. 48, where for "cc musketteers" read "vj^{xx} musketteers."
37. The Bailiffs to Sir Henry Glemham. They desire, upon further consideration, to be left out of his certificate for supply of ordnance, conceiving that new ordnance will not be granted without imposing such charge as they will not be able to bear; and therefore they will be petitioners themselves for supply of their wants.—26 Oct. 1627. f. 36.
38. A note of the town evidences [leases, &c.] taken 5 Oct. 1627. f. 36b.
39. Letter from the Bailiffs of Yarmouth, proposing contribution towards the expense of waftage.—Dec. 1627. f. 37.
40. Reply of the Bailiffs of Aldburgh. The Hall are content to contribute, provided the rest of the coast join.—28 Dec. f. 38.
41. Letter from the Council communicating the grant of ordnance.—18 Dec. 1627. f. 37b.
42. Sir Henry Glemham to the Bailiffs in answer to theirs of 26 Oct. (No. 37 above), justifying the application for ordnance contrary to their wish.—27 Dec. f. 38.
43. The Bailiffs to Sir H. Glemham respecting the transport of the ordnance, and desiring that the planting, guarding, &c., may be left to their discretion.—5 Jan. 1627[-8]. f. 39.
44. Agreement respecting the detaining by John Pootye of £4 12s. 6d. for money due to the town by Robert Moonf, deceased, for keeping two of his children.—17 Dec. 1627. f. 39b.

45. The Bailiffs to Sir H. Glemham respecting the size of the ordnance.—18 Jan. 1627[–8]. f. 40b.
46. Sir H. Glemham to the Bailiffs, desiring conference respecting the supply.—18 Jan. f. 41.
47. Certificate of the losses suffered by the town in 1625–7; being 13 vessels taken or wrecked, at a total loss of £6,800 and 200 men. The names of the vessels are Mayflower, Nightingale, Hopewell (twice), Mary Magdalen, Jewel and George, Mary Anne, Dragon, Pilgrim, Trial (?), Ellen and George, Mary and John, and Speedwell. f. 41b.
- Hele's *Notes*, *ut supra*, pp. 34–5 (with mistakes).
48. Petition to the Council for ammunition for the ordnance. f. 42b.
49. Letter from the Deputy Lieutenants [to the Lord Lieutenant] certifying that the petition and statement of losses are true.—Woodbridge, 1 Feb. 1627[–8]. f. 44.
50. Power of attorney to Thomas Johnson to receive the ordnance.—29 Jan. f. 44b.
51. The Council to the Earl of Totnes for delivery of the ordnance.—13 Feb. f. 45.
52. Two letters from the Earl about the same.—5, 13 Feb. (with lists). ff. 46, 47, 48.
53. The Bailiffs to the Duke of Buckingham for transport of the same by the *Seaflower*. f. 49.
54. Acknowledgment by Marm. Moore of the receipt of £100 for twenty barrels of powder at 12d. the pound.—5 March. f. 49b.
55. Warrant from the Duke of Buckingham to the captains of the two ships appointed to guard the herring fishery.—12 Aug. 1628. f. 50.
56. The Bailiffs of Yarmouth, communicating the warrant.—23 Aug. f. 51b.
57. Case respecting the exclusion of Saxmundham drapers from Aldburgh, with Mr. A. Lang's opinion thereon. f. 51.
- Hele's *Notes*, 1890, p. 36, with many mistakes and with omissions: *e.g.*, for "4th Jan." read "4th Jac.," and for "6th and 8th" read "6s. and 8d."
58. Letter to Blythburgh from the Bailiffs concerning Davison's boy (No. 34 *supra*), whom they suffer to go about begging and do not provide for.—22 Jan. 1628[–9]. f. 52.
59. The Council, about the assessment of a subsidy.—31 March, 1629. f. 53.
60. Nich. Revett, the Recorder, to the Bailiffs; the Sheriff can only by their charter sit for an enquiry within the town and cannot draw them out of it.—Brandeston, 30 Aug. 1629. f. 54.
61. The Bailiffs of Yarmouth about collection of moneys for the waftage.—2 Oct. 1629. f. 54b.
62. Reply of the Bailiffs; they have collected the moneys,

but desire, as being rated unfairly, not to be troubled Aldeburgh
in future.—29 Dec. f. 55*b*.

Part in Hele's *Notes*, p. 49.

63. The Council, enjoining a meeting at London about a better course for bringing sea-coals from Newcastle. 24 May 1630. f. 56.
64. The Bailiffs of Ipswich, for the appointment by Aldburgh of a representative to attend the said meeting.—31 May. f. 56*b*.
65. Appointments of representatives by Ipswich and Aldburgh.—3 June. ff. 57*b*, 58.
66. Order by the Bailiffs respecting the sale of the goods of Robert Riott, a sailor, lately run away, to maintain his wife being *non compos mentis*, with inventory.—2 Jan. 1639[–40]. ff. 59, 60.

Hele's *Notes*, pp. 49–50.

67. Certificate of the Bailiffs to the High Sheriff of the execution of several books of orders from the King, concerning dearth and price of corn, the keeping watch and ward, work in the House of Correction, rates for the poor, the apprenticing of poor children, alehouses (six suppressed and others fined), repair of roads.—14 June 1631. f. 61.

Hele's *Notes*, pp. 50–1, where for the prices of corn read vijs. per bushel (not 7*d*.) for wheat, vs. (not 5*d*.) for rye, and iijs. vjd. (not 8*d*.) for barley; and for "such alehouses" read "six alehouses."

68. From the Council; proclamation of peace with Spain.—8 Dec. 1630. f. 62*b*.
69. From Marm. Moore. It is his Lordship's pleasure that the town will acknowledge their fault in appointing a captain of 100 men, and discharge him; and then if they make suit for a military company and nominate a captain he will consider thereof.—28 Feb. 1630[–1]. f. 63.
70. Instructions for the executing a commission for a subsidy. f. 63*b*.
71. From the Council, forbidding, on the complaint of the Agent of the King of Denmark, the fishing at Iceland and Westmoney less than 6 miles distant from the shore, and announcing that none will be allowed to take hawks unless they sail from Copenhagen and return thither, to put a stop to unlawful trading.—9 March 1631[–2]. With a letter from Yarmouth communicating the same. f. 64.
72. From the Council, upon complaint from the traders in tobacco of great abuses, directing that choice be made of honest persons to sell it. 30 April 1622. With a note added that the Bailiffs nominated William Long, grocer, and William Baldwyn, innholder. f. 66.
73. Order from the Council for a certificate of moneys collected for defence and recovery of the Palatinate.—2 Aug. 1633.

- With a reply, dated 26 Aug., that nothing was ever collected; sent to Capt. Roydon for delivery, with his answer.—20 Sept. ff. 66b, 67.
74. Order from the Council appointing William Long alone to be a seller of tobacco.—31 Aug. 1633. f. 67b.
 75. Petition read before the Council 13 Feb. 1634[–5] from Sir Richard Brooke and others for a monopoly for salt-works for making salt from sea-water; with the answers of Aldburgh, Dunwich, Southwold and Walberswick. ff. 68, 72b.
 76. Writ for the fitting out of a ship of war by the maritime towns of Suffolk, with the sums assessed upon each.—4 Aug. 1635. ff. 75–78b.
 77. Warrant from the High Sheriff thereupon.—19 Nov. 1625. f. 78b.
- Hele's *Notes*, pp. 52–3.
78. Offer in the Star-Chamber concerning the taxing.—4 Nov. 1635. f. 79b.
 79. Order made at a meeting of Bailiffs and Mayors &c. at the *Greyhound* at Ipswich 23 Nov. 1636 for the providing £8,000 for a ship of war. f. 81.
 80. Letter from Anthony Wingfeld, the Sheriff, with a writ for like provision of a ship. 16 Oct. 1637. With order made at a meeting at Ipswich, 23 Oct. f. 82, 82b.
 81. Warrant about the repair of St. Paul's Cathedral. 4 Oct. 1637. f. 83b.
 82. Order for the maintenance of the beacons.—22 Jan. [1637–8]. f. 84.
 83. Letter to the Earl of Arundel about the choice of burgesses.—24 Oct. 1640. f. 85.
 84. Order from Parliament empowering the Bailiffs and burgesses to muster and train the trained bands and appoint officers.—1642. f. 85b.
 85. Memorandum that Gerard Gore of London promised to pay to the Bailiffs of Aldburgh the yearly rent for the Lighthouse at Oreford.—25 April 1643. f. 86.
 86. Order from the Committee of the Navy for release of a ship laden at Oreford with corn belonging to a Scotchman, William Dundas, going to Leith, which was seized by Capt. Thomas Johnson upon pretence that she was to be carried to the rebels in Ireland. 6 May 1643 f. 86b.
 87. Order by the House of Commons empowering Capt. Thomas Johnson to command all men in Aldburgh from 16 to 60 to keep watch and ward. f. 87.
 88. Appointment of a Standing Committee for Suffolk. 20 Oct. 1643. f. 87b.
 89. Petition to the Earl of Manchester for a review of the sum at which the town is assessed by the Committee; with his reply authorising the appointing of a representative upon the Committee. 19 May 1644. f. 88 Bailiff Wall and Capt. Johnson appointed. f. 89.

90. Petition to the Earl of Manchester against the appointment of Col. Fleetwood to command a garrison of 1,000 men at the island of Lothingland, and of Robert Nelson, to whom they specially and strongly object, to be Lieut. Colonel, and desiring that the defence may be left to various persons whom they name, already in command of forces near. f. 90. Aldburch —
91. Bond for fulfilment of the will of Ann Powell, of Aldburch, deceased. 12 May 1645. f. 91.
92. Answer of the Commissioners touching review of the assessment. Halesworth, 29 May 1644. f. 92.
93. Reply from Aldburch. 28 (*sic*) May. f. 92b.
94. Order of the Committee of Parliament concerning plundered ministers, depriving Richard Topclyffe, Vicar of Aldburch, of his vicarage, upon the articles exhibited against him,* and appointing Clement Ray, M.A., in his stead. 25 June 1644. f. 93. Warrant for ejecting Topclyffe from the vicarage house and admission of Ray, and for the delivery to the latter of all books, &c. 4 July. f. 93b.
- Hele's *Notes*, pp. 59, 60, with the mistakes of *Copcliffe* for *Topcliffe* and of *Nage* for *Ray*.
95. Several orders and a petition respecting the assessment. 1643-5. ff. 93-94b.
96. Petition from inhabitants of Suffolk to Parliament "that the national Covenant may be solemnly sworn by all men," and concerning other matters dealing with religion. f. 95.
97. Account of William Pane's estate, deceased. f. 97.
98. Order from Sir Thomas Fairfax for not quartering horse soldiers in Aldburch. 13 May 1647. f. 98.
- Hele's *Notes*, p. 62.
99. Various orders in Parliament &c. respecting forces, the assessment and letters relating thereto from the Bailiffs and others. 1647-51. ff. 99, 99b, 101b, 103b-7, 111, 112b, 123.
100. Three letters of Gerard Goore respecting the Lighthouse agreement with two of the burgesses, Alex. Bence and Thomas Johnson, letter about a suit for arrears in 1668, and other papers. 1648-9-53, 1668. ff. 100, 101, 107-8, 109b, 124, 137.
101. Appointment of Capt. Johnson to command and guard the town, &c. 25 May and 7 June 1648. ff. 102-103.
- With other commissions for him from 1643 to 1650. ff. 108b-110b.
- Hele's *Notes*, p. 63.
102. Valuation of the town for assessment, 16 June 1649, at £394 10s. 0d. f. 103. *Ibid*.

* See *infra*, among the Miscellaneous Papers of 1638 and 1644. In this order the bowing at the name of Jesus and before the altar is included among the offences.

103. Col. Robert Jermy to the Bailiffs about designs of a foreign enemy to land upon the coast, and their reply. 6, 7 July 1651. f. 111b.
104. Order to Capt Johnson to take an inventory of all arms in the town. 28 July 1651. f. 112.
105. Letters &c. from the Council of State about regulation and improvement of trade. 1651. Returns about the ordnance; setting forth of more ships; two letters from Monck and Blake about sick seamen, and one from the former for impressing men. 1652-3, &c. ff. 112b-13b, 114b-122b.
106. Agreement by Henry Searle, of London, clerk, to accept the vicarage of Aldburgh, and to serve the cure continually if he have a lawful call from the inhabitants within 15 days, and Alexander Bence, the patron, confirm it; he will take in the tithes himself, and the inhabitants shall free him of the Parliament charges. 16 Sept. 1645. f. 122b.
107. Order about tolls to be collected for the town. f. 124b.
108. Writ of *habeas corpus* to the Bailiffs to bring to Westminster John Manning, imprisoned for conscience sake, with the reply that there is no such man in custody. August, 1659. f. 126.
109. Indenture of the election of Robert Brooke, of Yoxford, esq., and Thomas Bacon, of Friston, esq., for Parliament. 31 March 1660. f. 126b.
110. William Shipman to Thomas Bacon about a petition to the Privy Council from the town for a supply of ammunition, 4 June 1660; grant of powder, 31 Aug. ff. 127, 128b.
111. Resignation by Francis Bacon of the office of Recorder. 10 Aug. 1660. f. 127b.
112. Brief for relief of Michael Disney, for a fire that consumed his house at Henham. 2 Oct. 1660. "Gathered iij s. iiij d." f. 128.
113. Order for a meeting respecting a voluntary gift to the King. 11 Nov. 1661. f. 128b.
114. Petition to the Chancellor, and orders in Court, respecting a suit by John Johnson against the town. 1661. ff. 129-30. The bill in Chancery brought against the town by Johnson forms a large book, unbound.
115. Inventory of furniture in the Workhouse formerly called the Bridewell. f. 130b.
116. Memorandum that the town borrowed £60 of Mrs. Mary Bence, widow. 20 June, 1662.
117. Valuation of the lands in the town. f. 131b.
118. List of the hearths in all the houses in the town, for the levying of the hearth-tax, with a warrant concerning it. 3 July 1662. ff. 132, 133.
119. Application from the Bailiffs to Mr. John Proctor at the Custom House at Newcastle for payment of £30 for one quarter's keeping of the lights at Orfordness, due 29

- Sept. 1663; with an order for payment to Mr. Thomas Aldeturgh Belley of Newcastle. 8 Jan. 1663[-4]. f. 135.
120. Account of the proceeds of the sale of the ship *Rainbow* bought by the town of John Johnson, and of the money laid out on it. ff. 136b-7.
121. Order for the removal of William Martin, barber, of Saxmundham, who came without licence of the magistrates. 6 Oct. 1666. f. 137b.
122. Order from the Council about observance of the Act for regulating Corporations. Sept. 1668. f. 138.

CHAMBERLAINS' ACCOUNT-BOOKS.

i. Folio volume, in tattered parchment cover; 335 numbered leaves, in good condition. The years 1566-1593.

ii. Folio volume, in tattered calf binding; numbered leaves 299, many loose. 1625-1649. Loose in this volume are eleven leaves containing memoranda of old debts due in 1607-1610.

iii. Folio volume, unbound, 29 leaves, 25 Dec. 1649-25 Dec. 1650. The Chamberlains, Robert Harper and William Doble. The receipts amount to £209 1s. 7d.; the payments to £212 1s. 2½d. The receipts are under the heads of the annual fees from "Artificers," the two "Drifts" of cattle, &c., "Fynes [for freedom] and Defaultes," "Iceland and Farrey" [for loads of salt], "Meetage," "Fishing," "Spurlingfare," "Rents," "Victuallers," "Receiptes," and "Tonnage." Among the payments, the Town Clerk's salary for the year, £12; bread for the Communion 5s. 6d., ten pints of "muskadyne" for the Communion at 10d. per pint 8s. 4d.; loss on exchange of twenty-seven shillings clipped money, 2s. 7d.; "John Burges, the mason, for brick, mortar, and the worke for putting up the diall upon the ende of the Towne howse, June 10, 1650," [viz., the sundial which is still there], 7s. 6d.; Mr. Francis Bacon's fee as Recorder, £5; Mr. John Bedingfield's fee as Counsel for the Town, £3; Philip Capon, for diet and wine on the Sessions' day £7 8s. 0d., and for breakfast and wine "when the Excise Officers were in towne September 13," 10s. There was a trial at the Bury Assizes "to defend the suite for the ditch for passage to the Light howse against Mr. Lane"; and £10 2s. 0d. were paid to Mr. Thomas Wills for charges and horse-hire for himself and witnesses, and £5 1s. 4d. to Mr. Baker for charge of the suit. Glazing-work was done in the church, and iron-work, viz., a great iron bar across a window at the east end, and three great clasps for the pillars. Various payments for work at the sluice and upon the wall in the marsh For cloaks for the sergeants, in all, £3 19s. 0d., of which £3 10s. 0d. for seven yards of broad cloth at 10s. per yard. To "Margaret Fisher, widdow, per Mr. Bailiff's apointment, toward the curing of her hurt childe, £1 0s. 0d."

iv. A series of accounts for the years 1651-1661, sewn together in entirely wrong order, without any cover.

v. Folio volume, in parchment cover, marked F.; leaves not numbered. 1666-1687. On the first page are notes of the accounts for 1656, and at the end of the volume (reversed) is a very important

Aldeburgh Marriage Register for the years 1653–1656, kept by Henry Searle, M.A., the minister, who was chosen Parish-register by vote of the inhabitants. "Births and Baptizings and Burialls" are also noted as being entered, but they are not contained in this volume.

These early accounts, which were carefully kept, would well repay full examination for local notes, especially, it may be, during the reign of Charles I. In the accounts for 1642 there is the entry of payment of £1 for a sermon on Good Friday, being an annuity bequeathed by Mr. Thomas Cheney, with £3 for the poor; this appears in 1643, but disappears in 1644. But in 1649 it is paid for a sermon "upon the Friday before Easter," and in 1662 there is, "paid to Mr. Savage for preaching on Good Friday in 1661, £1," and the entry is thenceforward continued. In 1645 we find, "Geven Mr. Hopkins the 8th of September, for a gratuitie, he being in towne for finding out witches, £2. Geven Goody Phillips then for her paynes for searching out witches, £1." Further payments are made to the same persons for their evil work, and finally seven poor women are hanged. In 1661 £7 10s. were paid to the Vicar, Savage, for keeping a free school for three months. A few extracts are printed in Mr. Nich. F. Hele's *Notes about Aldeburgh*, 8° Ipswich 1890, pp. 37–40, 43–4.

vi. Folio volume, in broken binding, with parchment cover; marked G.; leaves not numbered. 1771–1856.

For the years preceding those in this last book, which are not entered in any volume now existing, there are in some instances the original statements of accounts as made up annually by the Chamberlains scattered among miscellaneous papers in one or other of the chests, which should be put together and bound.

SESSIONS AND COURT BOOKS.

i. Nov. 4 Jas. I.—Sept. 9, Jas. I., 1606–1611. Unbound.

ii. Two parchment rolls; the one, of thirteen skins, for Sept. 21, Jas. I., 1623 of the presentments of the jury; the other, on fifteen skins, of cases from May 22, Jas. I. 1624 to Sept., 4 Chas. I. 1628.

iii. 1690.—Loose in parchment cover.

iv. 1692–1722.—Loose sheets. No entries in many of the later years.

v. 1726–1734.—In parchment cover.

1649.—Rate-book for the monthly collection for the poor, with entries of all the payments of allowances. 28 leaves.

Three books, in parchment covers, containing annual lists of all the burgesses, for the years 1695–1726.

MISCELLANEOUS DOCUMENTS.

1448, 24 June, f. of Nat. St. J. Bapt. 26 Hen. VI.—Copy, attested by William Howard, 12 Feb. 1599, of an agreement (in English) between John Dannibregge,* Prior of the Priory of our Lady of Aldburgh, in the name of all the township, for the settlement of

* Not mentioned by Dugdale.

Snape, and the convent, with nine tenants of the Prior's man or of Aldeburgh divers strifes; viz. that whereas, time out of mind, there have been paid to the Prior ten shillings yearly for every boat fishing for sperling in sperling-time, the said Prior, out of compassion for the poverty of the town, and for the great watch, labour and oppressing of the King's enemies, which daily lie before them to their destruction on sea and land, and desiring that the said town and tenants may increase in prosperity, and more recourse of fishers may be drawn to the town, of his special grace, grants, with the consent of William Poole, Duke of Suffolk, the founder of the Priory, that from henceforth every boat fishing for sperling shall pay yearly two pence. A pen-and-ink sketch of a broken seal of the Priory is given in the margin; the B. Virgin and Child. ". . . Scē Marie. . . "

1500, 29 Sept., f. of St. Michael, 16 Hen. VII.—Lease in English from Dan John Stokes,* Prior of the house of our Lady of Snape, and the Convent, to Robert Dobbys of Aldeburgh of a "mersshe salt" in the Southhithe, containing 30 acres, for eight years, at a yearly rent of iij*s.* iiij*d.*, the lessee being bound to wall and ditch the marsh round about. Endorsed as having been enrolled before William Dyx and William Cantrell, esqs., 4 Sept. 15 Eliz.

1566, 4 April, 8 Eliz.—Contemporaneous copy, on paper, of the will of John Bee of Aldburghe; proved 25 Feb. 1566-7. Gives again to Almighty God the thing which He of His fatherly goodness did lend him, that is, his soul. Leaves to his mother Angnes Brawne, late wife to his father John Bee deceased, his house; legacies to various relatives and to the town and poor of Aldburghe.

1566, 12 Sept.—Decree in arbitration by Myles Spenser, LL.D., and Edward Gascon, D.C.L., between Sir John Willoughbye, clerk, doctor of physic, Vicar of Aldeburghe, and John Lyvers, fishmonger, of London, farmer of the Vicarage, on the one part, and John Foxe and Edmund Bence, Bailiffs of Aldeburghe, and others of the inhabitants, on the other part, concerning certain tithes demanded for sea voyages; viz. that for every boat for "mackerell fare" there be paid yearly i*s.*, for every spurling boat iiij*s.*, of every Island boat that layeth doles one-half dole, of every North sea boat for every voyage one quarter dole, of every fartyl-boat ii*s.* iiij*d.*, of every fisher going on herring fare laying xxxv doles one half dole for Christ, laying xxv doles one quarter dole and a half, and laying under xxv doles one quarter dole, according to the old custom. Signed by the arbitrators.

[1568 ?].—A very interesting petition (on parchment) "To the Qwenes mooste honourable Cownsell" from "the Baylieffes, Burgesses and Inhabytauntes of . . . Aldeburghe," praying for the grant of a weekly market on Saturdays in addition to the Wednesday market granted in the Charter of Edw. VI., since the granting of which the number of inhabitants has increased "by reason of thencease of maryners, nouryshed, taughte and broughte uppe by the inhabitauntes." There is yearly adventured and set forth so many fisher-boats for "hearinge" fishing as contain 800 mariners, and there are yearly taken 1,000 lasts of herring at the

* Not mentioned by Dugdale.

Aldeburgh least; and 300 mariners for the "spratte fare," taking yearly 3,000 lasts of sprats; and fourteen ships and "crayers" are yearly manned into Isleande and the North seas, having in them 140 mariners at the least, taking yearly in the time of "pax" three or four score thousand lings and cods. And there is yearly set forth 100 mariners upon an other fishing called "mackrell-fare," and, over and above, 20 sail of ships and crayers set forth yearly in the trades of merchandise, having in them 130 mariners; by means of which in time of wars the Queen and her progenitors have been served with divers ships, and with 100 or 200, and sometimes more, mariners. In consequence of this great increase of people the Wednesday market cannot supply half of what is required, and they have been served every Saturday with victual by the people of the neighbouring towns and villages, for which pardon is entreated, and the lack of which would be the utter ruin and decay of the borough. The inhabitants at their own cost and charges not only defend the borough against all enemies in time of war, but also are a shield and defence to such part of the country as is nigh, "beinge a comfortable place vnto the enemyes saiefe landinge (if they be dysposed to do any exployte), for that yt is verie deepe to the harde shore, syx myles in lengthe alongeste from the sayde borrowghe; but that the saide borrowghe is populous, and so knowen to the enemye, which is a terror and feare unto them." And it stands in the midst of a bay between two Nesses where the enemy may ride in safety, from north north east wind to south south west wind without any danger, and not be seen by the Queen's subjects sailing along the coast until they be in danger of spoiling, "as by a platte thereof made, readye to be shewed unto your honoures more playnlie dothe and maye appeare," were it not that the inhabitants keep a ward by day and a watch by night in such place as they may well see where enemies ride. And forasmuch as divers ships of Leystofte, Woodbridge, Ypswitch and Brycklese, and of divers other towns, have been distressed by enemies in such extreme manner as their masters and mariners have been forced utterly to forsake them, yet the inhabitants of the said borough have so withstood the violent force of the enemy that they have not only rescued the said ships but have restored them to their owners without any recompense. And divers merchant ships, by distress of weather put from the foreland with loss of tackle and masts, have found their only refuge, for safety of lives, ships and goods, under this Ness, and have been holpen with anchors, cables and other necessities. Wherefore they pray for a Saturday market for victua^l, with all kind of leather.

1569, 23 April, 11 Eliz.—Indenture between Ambrose, Earl of Warwick, Master of the Ordnance, and the Bailiffs and Burgesses of Alborow, respecting the supply to the town of these "parcells:" three demiculverins of cast iron, mounted and furnished, three sacres of cast iron in like sort mounted and furnished, two minions of cast iron mounted and furnished; 300 demiculverin shot, 200 sacre, 300 minion; serpentine powder 6 cwt., corn powder 1 cwt.; match 1 cwt., carriers furnished with flasks and touch boxes xxv.; and the Bailiffs and Burgesses agree to maintain the same in service-

able manner, to repair when in decay at their own cost, and to employ them only in defence of the town, or if employed otherwise then to restore so much as is so employed. Signed, William Penham and J. Spainefer (?)

1571, 12 March, 13 Eliz.—Indenture of the election of Roger Woodhouse, esq., and Robert Higfourd, gent., as burgesses in Parliament. Signed by H. Hannam, sub-sheriff.

1572, 25 April, 14 Eliz.—Similar indenture of the election of Francis Beamownt and Charles Sackfourd, gents. Signed by Thomas Sturges, sub-sheriff.

1573[-4], 20 Feb. From the Tower of London.—Letter from J. Spainefer (?) and Rich. Boillande [to the Bailiffs]. Whereas ordnance and munitions were supplied in 1569, now as they understand there is no expert gunner in wages for the use of them, they require the Bailiffs either to entertain an able gunner whom they send named Richard Forde, with such sufficient wages as he may be able to live, with all other commodities heretofore received by the gunner, or else that the ordnance and munitions be presently returned to the Tower in as good and serviceable wise as they were received. A list is subjoined.

[*Temp. Eliz.*].—Draft of a petition to the Lords of her Majesty's Privy Council from inhabitants of Ipswich, Colchester, Harwyck and Alborough, praying that, whereas by letters of 28 July last they were informed of orders respecting the furnishing of ships and hoys trading to Newcastle, and meeting in companies at Gravesend, delay may be granted till next spring, as the ships must be made apt for placing ordnance in them, and the year is so far spent that only one more voyage can be made to Newcastle; and also praying that the meeting with the London ships may be at Harwyck which the London ships must needs pass, and not at Gravesend which is 50 miles distant, and that they may not be forced to wait for the London ships as the said towns are able to make a sufficient fleet of themselves.

[*Temp. Eliz.*].—Draft of a report from some Commissioners appointed to survey the town and haven of Aldeburgh. They find that the town is only defended from the rage of the sea by loose chesell or shingle, which lies as a bank between the town and the sea, which when "wrought out" by contrary winds, then the haven is imperilled and houses are overthrown, as within these eight years twelve or thirteen dwelling-houses and others have been. These damages fall out most at the north end of the town, and drew the inhabitants to make up two jetties, which have notably repelled the sea, but its violence southerly is now the greater, and gained twenty feet of ground lately in one tide. They recommend therefore that ten jetties be built along the town southerly, and as the charge thereof will be £1,300 or £1,400 which the inhabitants themselves cannot bear, they are humble suitors to "your honours" to procure her Majesty either to grant to the inhabitants such reasonable suit as they will exhibit, or otherwise to give them such aid as that the town may be preserved. A platt of the town is sent by which the nearness of the sea to the town and the two jetties may the better appear.

Hele's *Notes, ut supra*, pp. 32-3.

Aldeburgh 1587, 12 Oct., 29 Eliz.—Declaration, under the common seal of the Corporation (not now attached to it), by the inhabitants of Aldburgh, addressed to all people to whom it shall come, that they, and especially the poor, and every stranger, have at all seasonable times in the year commonly used to drag for oysters in the haven called Orford haven, between Orford and the place called Slawtinge, being a large haven where ships of great burden commonly sail, and that this liberty has been used peaceably and quietly all the whole time of memory, “untill now sythence Shroeftye last past certayne persons at the procurement of Andrew Hygate, esquier (as we are enformed), intendinge to take awaye the said commoditie . . . have molested and evyll entreated certen poore men of our said towne about theire said labours and busynes.”

1600-1, 14 Feb.—Grant by Stephen Riddlesden, deputy of the Lord High Admiral for the searching and measuring of coal, grain and salt upon the seas, to John James and Robert Riches, bailiffs of Albourgh, and to their successors as bailiffs, of such office of searcher within the port of Albourgh.

1604, 4 March, 1 Jas.—Indenture of the election or Parliament, of Thomas Revett, Esq., and Alexander Bence, mercfhant. Signed N. Bacon. Another indenture of the same date, but not signed, returns the names of Sir William Woodhouse, knt., and Thomas Revett.

1608, 1 Dec., 6 Jas. I.—Indenture of an acknowledgment by Henry Wood, citizen and skinner of London, and Thomas Hanson, citizen and ironmonger of London, water bailies or collectors of tolls and customs in London, for settlement of disputes, after examination of the Charters of Aldburgh by Robert Barker, sergeant-at-law, and Richard Godfry, counsellor-at-law, that the inhabitants of the town are free from payment of any tolls or customs to the city of London, providing that they pay to the Mavor and Commonalty of London and to the owners of wharfs all such sums as they have formerly paid for wharfage, grounding, sellarage and plantage. Signed by five of the inhabitants of Aldeburgh.*

1610, 24 April, 8 Jas. I.—Indenture of the election for Parliament of Sir Thomas Grey, knt., in the place of Thomas Revett, esq., deceased.

1614, 21 March, 11 Jas. I.—Similar indenture of the election of Sir William Woodhouse, knt., and Sir Henry Glemham, knt. Not signed. Seal defaced and broken.

1620.—Taxation of the first payment of the second subsidy of the 18th year of James I.

*It would seem that it is to some revived claim to tolls at London that a framed and glazed parchment document refers, which hangs in the Moot Hall, and was given very recently to the town by Mr. W. M. Broadley, of Dorsetshire. It is a letter dated 8 Dec., 1726, sent under the common seal of the Corporation, by Thomas Betts, Esq., the Recorder, to Robert Mann, Esq., Deputy Paymaster of Chelsea Hospital, which recites the privileges of the town in exemption from tolls, &c., as confirmed by Henry V., *an.* 10, to the Bishop and Prior of Ely (from an alleged grant of King Edgar), then by Henry VIII. to the same, *an.* 15, and to Cardinal College, *an.* 20, and in an agreement, *an.* 28, between Thomas, Duke of Norfolk, and the city, for the tenants of his manor of Aldeburgh, and finally confirmed in the Charters of Edward VI., James I., and Charles I.

1627-8.—Letters relating to the supply of ordnance to the town :— Aldeburgh —

- i. 7 Jan.—Henry Gleſnham to the Bailiffs and Portmen, respecting the size of culverins desired, and the best time and manner for application. He gave the Duke [of Buckingham] humble thanks for his great favour in procuring the four “wayfinge” for their last Iceland fleet.
- ii. 18 Jan.—The same to the same. Advises them to send some of their company to a meeting of the Deputy Lieutenants at Ipswich on the 22nd to express their desires with regard to the ordnance, and to entreat the Recorder to confer with him.
- iii. 5 Feb.—Copy of a letter from the Earl of Totnes to the Lieutenant of the Ordnance and the officers respecting the execution of an order from the Lords of the Council of 18 Dec. last for supply of ordnance to the coast towns of Suffolk, viz. Albourough, Dunwich and Southwold.
- iv. 14 Feb.—Copy of a letter from the same to the same respecting the substitution, in pursuance of an order from the Council of the 13th, of a different supply of ordnance to Aldeburgh and Southwold, the pieces originally ordered not being in the stores.
- v. 13 Feb.—Copy of the order referred to in the preceding letter. Aldeburgh and Southwold lie more exposed than other ports to the spoil and depredation of the Dunkirkers, by whom some of their ships have lately been taken and carried away from out their roads and harbours.
- vi. *Not dated*.—Copy of a petition from the towns of Alborough and Southwold that, whereas ten pieces of ordnance for the former and three for the latter are shipped aboard two hoys, the *Joan* of London and the *Hopewell* of Ipswich, but that these are stayed until a ship be found for their convoy, the ship called the *Seaflower* of Alborough, of 200 tons burthen, which has lately returned from the Isle of Ree, and is now in the river of Thames, may be employed for the purpose

1627-8, 29 Jan., 3 Chas. I.—Power of attorney from the Bailiffs, Edward Hayward and John Blowers, to Thomas Johnson, merchant, to receive from the Earl of Totness the ordnance above granted. On parchment.

1627-8, 3 March, 3 Chas. I.—Indenture of the receipt by Thomas Johnson of the pieces of ordnance, with their respective weights; witnessed by Henry Cariswall and Robert Bevis. On parchment.

1635, 4 Nov.—Copy of an order from the Court of Star-Chamber restraining the High Sheriff of Suffolk from raising the rate charged upon the town of Ipswich towards furnishing a ship of 800 tons from £240 to £450, regulating the assessment of Orford, Dunwich and Southwold, and directing that Aldeburgh shall be rated according to the proportion which it has borne with the county in other charges.

1637, 20 Oct.—Indenture of agreement by Sir John Meldrum, knt.,

Aldeburgh of London (holder of a patent for 50 years from the Crown, dated 14 Feb., for maintaining light-houses at the South Forelands, which entitled him to levy toll of a penny a ton upon all vessels passing from port to port or crossing the seas by Goodwin Sands), with the Bailiffs and Burgesses of Aldburgh, by which he grants to them an annuity of £30 for 50 years out of the dues collected by him, to be used at their discretion for the public use and benefit of the town. Signed by him.

1638, &c.—Papers relating to complaints against Richard Topcliffe, Vicar of Aldeburgh:—

- i. Representation to the Earl of Arundell and Surrey—i. at the Vicar's instigation the Chancellor [of the diocese] has ordered a gallery to be removed, which has stood time out of mind, and which by reason of the great congregation cannot be missed, there not being room in the church for fresh seats: ii. that the charge of pulling down, and of erecting new seats, will be too great for the parish to bear, the rather that by reason of the Vicar's contention and of his seldom preaching many of the ablest of the parish have left their dwelling there: iii. that about a year since certain Commissioners from the Chancellor, and after them the Visitors of the Church, approved of the gallery, but the Vicar procured the issuing of the new order, for not executing which the Churchwardens now stand excommunicated.

Hele's *Notes*, pp. 58–9, where the vicar's name is given as *Copcliffe*.

- ii. 1638, 4 July.—Copy of a letter from the Earl to the [Bishop of Norwich] inclosing a petition from his tenants of Aldeburgh which presses for relief in troubles put upon them by the Vicar "causelessly and for meere vexacōn sake" concerning a seat in the church; beseeches that he will confirm the Chancellor's report, and the seat be ordered accordingly, and the tenants freed from further vexation from him "whose part and duty it is both to teach and practize peace, and not to give his parishioners so much ill example and discontent as appeeres in their peticōn."
- iii. Complaint signed by two persons of the Vicar's refusing to baptize a sick child privately, or when brought to the church, saying he would baptize none but on Sundays, whereby the child died unbaptized.
- iv. [c. 1640 ?]—Two drafts of a petition of the Bailiffs and Capital Burgesses to the House of Commons, complaining of the excessive fees, and unreasonable summons to a distance of 15 or 20 miles, for episcopal visitations, and of the enjoining the erecting a new pulpit and desk (although they were very good), the removing the Communion Table to the upper end of the chancel, the placing it altar-wise, raising the ground two steps, and railing it in, "and enjoining the Viccar to read the latter service att the Communion Table, soe farre remote

from the bodye of the church, and soe obscure in respect Aldeburgh
 that the church is devided from the chancell by arches
 of 5 or 6 foote broad, as not the one halfe of the people
 can eyther see or heare him." Vexatious conduct of
 Dr. Peirce, the Commissary; he has compelled the
 taking down a gallery anciently erected for the con-
 venient sitting of the Bailiffs and Capital Burgesses;
 persons at sea or sick have been summoned, and had to
 pay fees for non-appearance or be excommunicated; an
 excessive rate, made by the Vicar's churchwarden alone,
 enforced by him, upon which they appealed to the
 Court of Arches. The Vicar neglects his duty in preach-
 ing, sometimes there not being a sermon for three or
 four weeks together, and at most once in 14 days by
 himself or his curate, although it is a very great parish
 of above 1,000 communicants, and the vicarage is worth
 £100 *per an.* The fishing trade, upon which the town
 depends, is much decayed, as in all the coast towns of
 Suffolk, for want of expense of fish in the Kingdom,
 which happens by not due execution of the law in that
 behalf.

Hele's Notes, pp. 57-8.

1640, 23 March, 15 Chas. I.—Indenture of the election for Parlia-
 ment of William Raynborow, esq., and Squire Bence, merchant.
 Signed by Simonds D'Ewes, Sheriff of Suffolk, John Blowers and
 Edward Cockett.

1640.—Assessment of the inhabitants and landholders of Aldburgh
 upon the King's writ towards the setting forth of a ship of war.
 Parchment roll.

1641, 5 April.—Taxation for the first two of four subsidies granted
 by Parliament, with the indenture appointing William Shippman
 to be collector.

1641, 3 Aug.—Taxation for the money granted by Parliament
 for disbanding the armies and settling the peace of the two Kingdoms
 of England and Scotland. Sum total £58 8s. 0d.

[— ?]—Petition from the fishermen of Yarmouth, Aldeburgh,
 and other coast-towns in Norfolk and Suffolk to the House of
 Commons for ships of force to convoy their fishing-vessels to the
 North Seas, Iseland, and Westmoney, their dangers being so great
 by enemies at sea, pirates, rovers, and the like of Irish, English, and
 others.

1641, 6 Dec.—List of subscriptions promised towards the stipend
 of John Grayne, of Coddendam, clerk, whom the Bailiffs and
 Capital Burgesses had "hired . . . to be Lecturer for this towne,
 and to preach everye Saterday in the forenoone and everye Sundaye
 in the afternoone, and are to give him threescore pounds per annum
 for the same, and to paye him threescore pounds over and above his
 yearelye stypend in case they turne him awaye att any time within
 seaven yeares without his consent." Signed by 87 persons, for
 subscriptions from £3 to 2s. Only twenty out of the whole number
 sign by marks.

1642, 2 March, 17 Chas. I.—Indenture of the election of Squire

Aldeburgh Bence* for Parliament in the room of William Rainsborough, esq., deceased. Signed by Sir Will. Castleton, sheriff, Tho. Johnson and John Pooty.

1642, 7 Sept.—Warrant from James, Earl of Suffolk, appointed by ordnance of the Lords and Commons in Parliament to be Lieutenant of the county of Suffolk for levying, mustering, &c., the trainbands, appointing the Bailiffs of Alborough to be Deputy-lieutenants for execution of such duties.

Printed with the date of 14 Sept. in Hele's *Notes*, 1890, pp. 23-4.

1642-3, 1 March. Westminster.—Letter from Leuthall, the Speaker, to the Commissioners for Suffolk respecting the execution of the ordinance of Parliament for raising £400,000 in the county towards the relief of the kingdom of Ireland, and forwarding copies of the ordinance for distribution, to be publicly read in every church and chapel.

1643, 10 Oct.—Order from the House of Commons, signed by H. Elsynge the clerk, that the Bailiffs of Aldeburgh or Capt. Thomas Johnson shall have power to command all men within the said town from the age of 16 to 60 to watch and ward.

Hele's *Notes about Aldeburgh*, p. 26.

1643, 1 Nov.—Order excusing the Bailiffs of Aldeburgh from attendance at the Committee at Bury in respect of their age. Signed by John Wentworth, W. Soome [or Goome ?] St. Heveningham, Isaac Appleton, Henry North, Nicholas Bacon, Nath. Bacon, Wi. Bloyse.

[1644].—Letter to the Bailiffs of Aldeburgh from the Committee at Bury respecting the non-receipt from the town of any voluntary contribution in pursuance of the Ordinance for raising money "for our brethren of Scotland," and attributing it to some accidental omission or mistake. Signed by Thomas Tirell, Fr. Brewster, Edw. Rede.

1644, 30 Dec.—Reply of the Bailiffs, John Bence and William Edwards, to the preceding letter. They had never heard of the ordinance until receipt of the letter; they have now collected the sum at which the town is rated, but they desire that the money may be left with them, or else pay it in to the committee at Goldsmiths' Hall if they are not allowed to retain it.

1644.—Papers relating to proceedings against Maxtid Violet, Curate of Alburgh:—

- i. 29 March.—Articles against him exhibited before the Committee at Bury by four persons for drunkenness on one occasion at an alehouse at Orford and indecent behaviour.
- ii. His answer, exhibited before the Committee on 15 April, denying the charges and impugning the sufficiency of the evidence.

1644, 10 Sept. Saxmundham.—Long letter from Thomas Nuttall and John Ward to Mr. Good, chaplain to the Earl of Manchester, relating to the ejection of the Vicar of Aldburgh, Topcliffe, and the charges against the curate, Violet. Their neighbours at Aldburgh are longing for Mr. Raye's settling amongst them, and have procured

* There would seem to be an error in the name. Should it be John Bence ?

Capt. Johnson to undertake a hazardous journey. Get a sequestra- Aldeburgh
tion for Ray in the most effectual manner, let it not be clogged
with yearly pension, which they offered [Topcliffe] only in courtesy.
His articles are more foul than half of those in [White's] *Century* [of
Malignant Priests, 1643] for which men were turned out by
Mr. Whyte; he has no child, and has a good quantity of shipping
and moneys at use, besides £12 of yearly revenue. What should
be allowed him must be raised from those that would contribute
to maintaining an assistant for Mr. Raye, which must be had in
regard of the Saturday lecture and the greatness of the church
and people; and Mr. Raye needs to have the profits of the vicarage
without diminution, which will be against the allowance of a fifth
part which the Ordinance alloweth my Lord [the Earl of Manchester]
to give where there are children like to be in want. Unless care be
taken in this point, almost all the parishes now unprovided in this
county must so remain, as not affording more than £30, 40 or 50, when
a fifth part is deducted, which is not sufficient maintenance in this
chargeable time; also the fear of that fifth discourages parishioners
from prosecuting their scandalous ministers. All outed priests
should be inhibited preaching and from convening with their brethren
in evil, by which means they do much harm already, and may do
more hereafter than they did when tied to one place. "When you
have made remembrances in your note-book it were safest to commit
your friends' letters to the custody of the fire. We blame you not
for showing our last, supposing a necessity, but hope you let them
neither have it nor take a copy of it. If otherwise, by all means
let us know it by this bearer, that we may be provided of an Apology.
Colonell Fleetwood is working hard to be confirmed by the Parlia-
ment. If the Committee of both Kingdomes (and especially some
of the Scotch nation) be not againe dealt with, we feare he may
prevaile. We have done our endeavour, but are not weight enough
to move that great wheele. The Capt. [Johnson] brings Violet's
articles; that base Antinomian is like to be intertayned at Hallis-
worth, and teach them libertinisme who need no spurring. I wish
you could procure a warrant; it might scare him to his wife in
Norfolk."

Hele's *Notes*, pp. 61-2; where, for "hath a child" read "hath
no child," and for "teach the committee" read "teach them
libertinisme."

[1644, Jan. ?].—Petition of the inhabitants of Aldburgh to the
Committee at Bury to send one of the trained bands of the county
into the town for their safety and relief.

Hele's *Notes*, pp. 25-6.

1644-5, 10 Feb.—Receipt for £11 18s. 4½d. collected in Aldeburgh
towards the £80,000 ordered by Parliament 16 Oct. last for relief
of the British army in Ireland.

1645-6, 19 Jan.—Letter from Thomas Johnson and William
Thompson, bailiffs of Aldburgh, to the Captain of the *Sampson* at
Harwich, or the captain of any other man of war in the service of
the Parliament, desiring him to come with all expedition for the
relief of nine vessels, and of one other vessel put on shore between
Orford Ness and the town by a King's man of war; some of the

Aldeburgh vessels have persons of quality in them, and they durst not stir, and had they not been rescued by the ordnance from the town they might all, or most, have been taken.

Hele's *Notes*, p. 25.

1646, 5 May.—Order from the Committee of the Lords and Commons for the army respecting the non-payment by Aldeburgh, "Southall, Laystofte and Donnagh" (! *Dunwich*) of the monthly assessment for the maintenance of the army under Sir Thomas Fayrefax.

[1646 ?].—Petition to Parliament that they will allow to the town the monthly assessment, being 22s. on £1,000, towards the charge of powder and other ammunition for the defence of the town; last winter many great tides took away the platforms on which the guns were planted, entailing great charge in their rebuilding.

Hele's *Notes*, p. 23.

[— ?].—Petition from the Bailiffs and Capital Burgesses to the Earl of Manchester, the Major General for the county, against a commission from him to Capt. Gray, Mr. Cole, and others, to review the assessment of the town, pleading their ancient privilege for doing it themselves.

1647, 12 April.—List of contributions promised for one year towards the maintenance of a curate, to be paid quarterly, amounting to about £17 18s. 9d. from twenty persons.

1649, 16 June.—Total of a valuation of all the lands, tenements, and cottages in the town, given in at Bury on 20 June, amounting to £394 10s.

Hele's *Notes*, p. 63.

1650, 8 Sept.—Order made by the Bailiffs and Capital Burgesses that the Bailiffs shall henceforth every Sunday at the church be in their gowns, and that they and the ten Capital Burgesses shall wear them at the Hall on Election day, Michaelmas day, and General Sessions day, upon pain of forfeiting 5s. for every time of offending.

Hele's *Notes*, pp. 41-2.

1650, 22 Nov.—Indentures of agreement between Jearard [*Gerard*] Gore, of London, esq., and the Bailiffs and Burgesses, for the maintenance by the latter of the Light-house at Orford Ness, for the term of twenty years for the sum of £120 yearly.

1650-1.—Reply to an enquiry from the Council of Trade at Whitehall dated 3 Jan. as to what was thought convenient for improving the fishing trade: i. that for two days in the week there might be a constraint upon all persons throughout the whole Commonwealth, except in causes of necessity, to spend fish, and be restrained from spending flesh; or, ii. that every person having £100 lands and upwards be constrained to buy a hundred salt fish yearly, and he that has £50 half a hundred, and that all foreigners be debarred from bringing in any kind of fish whatsoever, and that men of war be appointed for the better encouragement of adventurers.

Hele's *Notes*, p. 64.

1651, 6 Aug.—Long parchment roll of the assessment for the sum of £13 15s. 8d., being the proportion for two months for the monthly tax of £120,000 for six months ordered by Parliament 15 April.

1655-6, 19 Jan.—Order from the Commissioners for the Navy

to the Bailiffs of Aldborow for impressing 60 able seamen, aged above 15 and under 60, towards the manning of the fleet now setting to sea. Signed by Tho. Kelsey, John Clerke, Ed. Salmon, and Edw. Hopkins. Aldburgh

Hele's *Notes*, pp. 26-7.

1659, 5 Nov.—Acknowledgment by John Wall, gent., of the receipt, on behalf of the Bailiffs and Burgesses of Aldburgh, from the Auditor of the Exchequer, of two standard brass measures, one containing a quart and the other a pint. Seal of the office of the Exchequer attached.

1660, 30 Aug. Whitehall.—Letter from the Privy Council to the Bailiffs announcing the grant of twenty barrels of powder and shot and match proportionable, for the defence of the town. Signed, Dorchester, Manchester, Northumberland, Lindsey, Arthur Annesley, Will. Morice, G. Carteret, Richard Browne.

Hele's *Notes*, p. 27.

1661-2, 19 March.—Articles of agreement between the Bailiffs and Burgesses, and Edmund Buxton of Stowmarket, for his coming to set up his trade of spinning wool in the town and to employ the poor therein, paying him £50 for five years, and £12 for expense of removing, with a house rent free, and the freedom of the town. Buxton's receipt for £62 is dated 20 Sept. 1662.

Hele's *Notes*, p. 28.

1662, 31 Oct.—Order for John Bence, of London, to appear before Christmas before the Commissioners under the Corporation Act to take the oaths, or else to be removed from his place of capital burgess, and Samuel Groome to be admitted. The time for subscription for seven other burgesses is extended to 1 Jan.

1669, 9 Nov.—Indenture of the election of John Bence, of London, esq., as Member of Parliament for the borough.

1689.—Notice given by three Quakers, William Falkner, John Manning and Abraham Coleman, in accordance with the requirements of the Toleration Act, that they hold their meetings in the house where they have for some years held it, namely, in the south end of Aldeburgh towards the seaside in the house where Mary Till, widow, dwells.

1691-2.—Order with regard to the paying of the duty of beaconage payable by all masters of ships coming in or going out of Orford haven, viz. that every master not belonging to Aldeburgh or Orford shall pay for every voyage into the haven twelve pence towards maintaining the beacons.

1690, 1692, 1700, 1702.—Four coroner's inquests; two on cases of drowning, one on a child knocked down by horses, and one (in 1692) on a young man killed by a fall while playing at foot-ball.

[— ?]—Draft of a petition for a by-post to come three times a week to the town with letters, there being no post-town nearer than Saxmundham, at least six miles distant.

1708, 6 May.—Indenture of the election for Parliament of Sir Henry Johnson, knt., and William Johnson, esq. Office seal of the Sheriff, John Fuller, esq.; a castle-gate, with a mussel-shell above; initials at the sides, I. F., and below, "Suff."

Aldeburgh 1741, April.—Letter from the Earl of Strafford to the Bailiffs and Capital Burgesses, giving permission for the removal of the Stocks, and the building about them, to the end of the Town-house, to render the market-place more open.

Hele's *Notes*, p. 28.

In 1737, 1738, and 1744, the Crown rent from the town of twenty shillings is paid "for the use of the College of Matrons in Sarum," for which the receipts, in the first two instances, are amongst these miscellaneous papers.

CHARTERS, EARLY CONVEYANCES,
COURT ROLLS, &c.,
OF THE
RIGHT HON. THE EARL OF LEICESTER,
PRESERVED AT HOLKHAM HALL, NORFOLK.

SHORTLY after the Report upon the Manuscripts deposited at Holkham was drawn up by the late Mr. Horwood [IX. Report App., p. 357], it occurred to Lord Leicester that it would be desirable to arrange and classify the immense mass of mediæval Charters, Rolls and other documents which were lying in disorder, uncalendared and uncatalogued, in the muniment room of the great Norfolk mansion. A beginning was made by giving a commission to Mr. Scott of the British Museum to calendar the ancient Charters—which date back from the time of King John—and that gentleman set himself, accordingly, to draw up a calendar of nearly 4,000 documents, only a comparatively few of which are concerned with so *modern* a date as the reign of Elizabeth. The examination and cataloguing of the Rolls, maps, manorial extents and similar apparatus was entrusted to other hands; while the large mass of correspondence has not yet been arranged, though it contains many letters of great historical value and interest.

When it is remembered that Lord Leicester's estates in the county of Norfolk stretch over an area embracing more than fifty parishes, and that the records which are concerned with this great breadth of country deal minutely not only with the transfer of land but, directly or indirectly, with the social and economic and religious life of the people during more than six centuries of our history, it will be obvious that the value and importance of so large an assemblage of original documents can hardly be exaggerated, and that it would be impossible to say what may be the results of a patient and searching examination of the Holkham archives.

Though the ancient family of Coke were possessed of considerable landed property in the county of Norfolk for at least three centuries before they became the owners of the Holkham Estate, none of them had served any of the great offices in the county until Edward Coke was returned Knight of the Shire in the Parliament of 1593, having been appointed Solicitor-General in the previous year. Two years later he appears to have bought up all the smaller manors in Holkham, and so consolidated the estate. The note of hand on which he borrowed 750*l.* from Thomas Fermour of Basham on the 8th Sept. 1595 (Charter 1202) is still preserved and appears to represent

Earl of that portion of the purchase money which "Edward Coke, of
Leicester : Godwick, Attorney-General," required, as a temporary loan, to
Holkham complete his purchase.
Hall.

The charters which are concerned with the parish of Holkham (a parish which cannot have embraced much more than two thousand acres exclusive of the waste lands and marshes reclaimed from the sea by the present Earl of Leicester and his Lordship's father) number 289, dating from the time of Henry III. to the year 1688. Of these 108 are transfers of land during the reigns of the first three Edwards. That is, in a small village of Norfolk during the century ending 1377, there was an average of more than one sale of land every year, the records of which have actually been preserved. The plots of land are often exceedingly minute—a rood, half a rood, a rood and a half (No. 1013), half an acre (No. 1086), and even smaller strips are surrendered with all the legal formalities, and the subdivision of the land is evidenced by other documents such as the Court Rolls, in which surrenders and exchanges are abundantly recorded. The names of the inhabitants which appear in the earliest charters of the reign of Henry III. indicate that the Danish element in the population was strongly preponderating. One Robert Hacun or Hacon was a powerful personage in the little community; while among the earlier charters we came upon such names as Asketel, Bradeker, Yrik, Thurild and others, indicating that the village community was largely mixed with a Scandinavian element.

One of the most valuable of the Rolls pertaining to the Manor of Holkham is an *Extent* drawn up by the Lord of the homage shortly after the death of Warin de Monte Canisio (*Montchensi*) in A.D. 1255, which appears to show that the Montchensis were lords of the principal Manor at least, and that the number of their tenants, free and bond, exceeded a hundred. The document, though in parts very dilapidated, is one of very great interest, giving as it does a minute account of the holdings of the tenants, the quitrents they paid and the services they rendered. My impression is that this *Extent* would go far to show that the *holdings* were larger in the 13th century than they were in the following century. Thus Radulfus Hacun held the third part of a Knight's fee and Peter le Bree 100 acres; whilst there are frequent indications of a family association holding small tracts of land in a kind of partnership—such tracts being in almost every instances *multiples of three acres*. Thus we have "Galfridus fil. Payn et fratres tenent 63 acras." "Thurstan et participes eius tenent 12 acras." "Hugo Elsy et participes tenent 18 acras," and so on with 12 acres—6 acres, &c. The quitrents other than money payments are of the ordinary character. The services present many curious features. More than one tenant is required to provide a cart *ad Woodlode*, on certain days in the year, "si habeat equum"; one is required to carry a *letter* for the lord three times a year; another *inveniet domino equum, si habeat, ad exitum suum de villa, per 12 leucas*. The horse is to be fed by the Lord and the owner allowed two pence for the use of the animal. Another is to provide two quarters of barley *ad cibum domini*. It was impossible for me to notice more than a few of the

many distinctive features of this curious roll; hence only a few of the curiosities of the charters can be indicated. No. 1080 is a bond from Richard Neel and others to repair the *Bercary* or sheepfold in the manor of Holkham which the lessees held in lease of David de Strathbolgy Earl of Athol. This bond is dated 30 May, 1332, at which time Earl David had revolted from Edward III. and had joined Balliol. The Earl had become possessed of the manor in right of his wife, Joan, co-heiress of Aymer de Valence Earl of Pembroke. Nos. 1100 and 1101 are among the evidences, so rarely to be met with, of money-lenders having plied their trade in the villages during the 14th century. The first is a receipt of William de Berney for 20s., advanced by Gilbert Neel, with which Berney was to trade for the use of the said Gilbert and render a faithful account of the profits arising therefrom.—Dated 30 Sep., 1345. The second is a similar bond from Benedict Stot to the same Gilbert Neel, covenanting to account for 3*l*. and the profits accruing. Dated 15 Aug., 1346.

Earl of
Leicester :
Holkham
Hall.
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The Series of Charters constitute a remarkable and close *succession* for more than a hundred years down to the year 1348, after which there is a sudden and marked break, and a change of personal names, beginning with the 15th century, as if the district had been well nigh depopulated by the visitation of the plague.

Notwithstanding the statute of *Quia Emptores*, the object of which was to prevent the subdivision of manors, there is great reason to believe that the creation of new manors in Norfolk parishes continued long after the 13th century; and that this was the case in the Parish of Holkham among others, I can have little doubt. At the end of the 15th century I find at least six manors here: (1) Holkham Peterson; (2) Barrow Hall; (3) Hill Hall; (4) Westgate; (5) Pining's Manor; and (6) the old manor of Holkham which carried with it the advowson of the benefice. The earliest Court Roll of the manor of Holkham is a very long one of the 5th year of Edward I. In this the homagers are assessed for a levy of 20s. *pro milite domino faciendo*.

I have never met with another instance of such an impost being exacted from the tenants of a manor.

There are four parish maps of Holkham as it was before the inclosure, the oldest of which is of the date 1590; the latest 1740. In all, the divisions of the open fields are laid down with more or less minuteness.

To the west of Holkham and separated from it by a portion of the parish of Harpley, in which, I think, the Coke family have never had any but a small interest, stretches a tract of country of some thousands of acres, including the parishes of Appleton, Anmer and Flitcham. The charters which concern these parishes, the earliest of which is of the date 1205 and the latest of the time of Queen Elizabeth, exceed three hundred in number, and are of great value for the curious light they throw upon some obscure chapters in English History.

(i.) The Charters of Anmer furnish us with a notable instance of the uncertain tenure in which eleemosynary endowments were held even in the days of the Edwards unless the holders were powerful

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enough to take care of themselves. Charter II. tells us that Reginald de Watirdene, Parson of Anmer, had made over to Sir Walter Calthorp, Knight, an estate of about a hundred acres, and other property in Anmer, for providing board, lodging and clothing for five poor men in Anmer and "ad inveniendum et sustinendum inde duos capellanos pro fidelibus dei defunctis divina in perpetuum celebraturos." The date of this charter is Thursday after the feast of St. Dunstan, 5° Ed. II. (A.D. 1311). The worthy parson's example was followed by other inhabitants of Anmer and especially by one Stephen Nute and by Hervey de Berford of Anmer who at various times between 1311 and 1316 conveyed to the founder no fewer than seven small estates all which appear to have been given for the same object and served to increase the original endowment. These endowments were made over in trust to Sir Walter de Calthorp as Lord of the Fee in the first instance and continued to be held by his descendants who were thus constituted *patrons* of the Charity, having, as it seems, the sole right of presentation not only of the poor men but of the Chantry priests, whose duty it seems was to look after the beneficiaries. Thirty years later [15° E. III., Charter 26] two other Anmer worthies—of whom one was again the Rector of the parish and another was some relative of the original founder, a certain *Nicholas de Waterden Capellanus*—convey three messuages and some lands for the augmentation of the same endowment to Sir William de Calthorp who had succeeded his father, and to Thomas de Hilderston, now Rector of the parish, who thus became joint trustees of the new benefaction for the same uses as before. In other words, the endowment by this time had been made over to the Lord of the Fee and the Rector for the time being. Thirty years after this again (Charter 30) Sir Oliver de Calthorp appears as the sole patron and trustee of the *Charity*, and by a grant dated 21st Dec., 1369, makes over the endowment to certain feoffees to maintain a single chantry priest in the Church of Anmer—with a power of revocation and resuming of lands in case the Chantry should be negligently served by the said Chaplain. By this time the two priests had shrunk to one and the five old almsmen had disappeared. In the next century the single chantry priest had gone too, the lands had been resumed by the Calthorp of the day and had been handed over to the Priory of Flitcham which in 1459 (Charter 36) gave a lease of these lands for 12 years to some outsider.

(ii.) The Charters of Flitcham (Nos. 703–883) of which 14 are of the time of King John and at least 40 are anterior to the close of the 13th century, illustrate very instructively the way in which a small house of Augustinian Canons in an obscure parish grew up to a certain local importance, and suggest that the members of the community must have had a hard struggle to live upon their income. As considerable confusion will be found in the principal authorities on the history of Flitcham Priory (Dugdale, Blomefield, Tanner, and others) it may be as well to summarise the information which these early charters convey. There is no trace of Emma de Bella Fago having been in any sense either founder or a benefactor of this house ; though Charter 734 shows that she gave certain lands to the Priory of Hempton near Fakenham late in the 12th century. As early

as 1205 her husband, Gilbert of Norfolk, had seized upon a piece of land near the church gate of Flitcham which was claimed as church land by Daniel de Merlai then Rector. The cause came before Bishop John de Grey, Bishop of Norwich, and was decided in favour of the Rector (Charter 703). This Daniel de Merlai appears to have been succeeded in the rectory by his son John de Merlai early in the reign of King John and John de Merlai seems to have followed the fashion of his time by desiring to make the Church, of which he was Rector and Patron, conventual. It looks as if early in the reign of Henry III. he had taken some monastic vows, had managed to appropriate some small revenues of an Hospital or Almshouse at Flitcham (Charter 706); to have done his best to alienate some portion of the glebe and to have wished to alienate the whole; making the Rectory of the Parish the site of the intended Priory. The whole scheme, however, was not carried out in his lifetime, and it was not till the middle of the 13th century that the Priory was actually started, the Church, Parsonage and Glebe lands alienated and a vicar appointed whose only maintenance was derived from the fees and altarages with the free-will offerings and small tithes. One of the Canons probably at all times served as Vicar. The chief benefactors in the first instance were the Avenels and Aguilans whose gifts were however inconsiderable, nor does the house appear ever to have had a Patron: in other words, there never was any one who had bestowed any very great endowment upon it.

(iii.) The Collection of Charters referring to the Parish of Sparham is one of extraordinary richness, remarkable not only for their number and wonderful continuity but for the varied interest of their contents. Though the Earl of Leicester is Lord of the manor his lordship's estate does not exceed 1,500 acres in extent; yet the Holkham archives present us with nearly 450 charters which are concerned with transfers of land in this small area anterior to the close of the 15th century. The earliest is a confirmation by Bishop John de Grey, Bishop of Norwich, of an exchange of two pieces of woodland in Sparham belonging respectively to Richer, parson of Sparham, and a certain Alexander described simply as *Miles*. The exchange is said to have been made "Anno ab Incarnacione Domini "M.°C. lxx.° viii. utriusque partis fide confirmata. Testibus Willelmo "Archidiacono Teng. Archidiacono Walkhelino Archidiacono," and many others. Of these Archdeacons, Le Neve, in the *Fasti Ecclesiæ Anglicanæ*, names only "Tengrinus or Taingrin" as Archdeacon of Norwich at this time. Walkelin is certainly the Archdeacon whom John of Salisbury makes frequent mention of in his letters; while of William, I can find no certain notice.

The Sparham Charters, as in the case of Flitcham, throw some light upon the early history of another small Augustinian house in Norfolk, the Priory of *Beeston ad Mare*. Dugdale and Tanner are at fault from lack of such information as these charters supply. From a series of five early charters, all numbered 243 and lettered *a to e*, compared with others in the Sparham Collection (Nos. 1548, 1550, 1564), it is certain that Isabella de Cressy, widow, "for the salvation of her soul and that of Roger de Cressy and of her ancestors" was the real and, apparently, the only founder of this

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monastery. By the *Calendarium Genealogicum* it appears that she died in 1262 having survived all her four sons who left no issue, and that she left as her heir a sister *Alicia*, many years her senior. These charters show that she had made several small grants of lands to the Priory some of which she had acquired from John de Merlai, who has been erroneously called one of the founders of the house, and that these grants were confirmed by her sister Alicia, widow of John le Marshall (ob. 1199), and by Roger Bigod, 4th Earl of Norfolk, who succeeded to the inheritance of Alicia. By Charter 1733 *b* it further appears that Robert Prior of Beeston gave a lease of certain lands and messuages in Sparham for 301 years from the 18th October 28° H. vi. (A.D. 1449) ; an instance of something like a fraudulent alienation of corporate property, of which another example is afforded in Charter 1831, whereby Richard [Hudson] the last Prior, in anticipation of what was coming next year when the Priory was dissolved, gave a lease of the Manor of Sparham to Thomas Clere of Acle, Esqre., dated 21st March, 1535, with the option of renewing the lease at the end of the term. By Charter 1834 it appears that Clere paid 20*l.* for this lease. Among the curiosities of these Sparham Charters may be noticed Charter 1754 which is a grant of lands in Sparham to Robert Marshall and John Clyffe, Gentlemen of London, *Minstrels to King Edward IV.*, and William Mustarden, Clerk, and John Popy of Sparham, dated 20 Nov. 4° E. IV. (A.D. 1464).

No. 1845 is an Indenture between Thomas Boley, gent. and John Blakeney, gent., both of Sparham, wherein Thomas Boley covenants "to depart from the occupying of such messuage as he now occupyeth in Sparham and to take with him Joan Folkland gentilewoman, and to continue and abide and to find the same Joan honestly meat and drink and clothes, both linen and woollen, to her body, washing and wringing, and an honest chamber for her to lie therein as becometh a gentlewoman to have during her natural life ; and to hold the said John Blakeney harmless from any claim the said Joan may make against him for rent of the farm of Sparham manor." The indenture is dated 8 June, 2 Ed. VI. (A.D. 1548).

(iv.) The Charters of Tittleshall are 152 in number. Five of these are of the reign of Henry III. No. 2012 is the award of a commission issued by William Ayermin, Bishop of Norwich, dated vi. Kal Febr. 1328. The Commissioners met at the Premonstratensian Abbey of Wendling. It appears that a Presentation had been made to the Church of Tittleshall actually when the benefice was *not vacant*. The Bishop's Register shows that the dispute between the rival rectors went on for 25 years ; and though this award was supposed to be the settlement of the quarrel, yet Charters 2013 and 2014 prove that the rival claimants were still at feud five years later.

The large number of gentry resident in the Norfolk villages during the 14th and early part of the 15th century is very noticeable in the Charters of this period, but a remarkable instance of this is furnished in the Tittleshall Charter No. 2035—early in the reign of Henry IV.—where, attesting a small grant of land in the parish, there are no less than four knights who are among the

witnesses, viz., Sir Hamon Chevers, Sir Robert de Hulme, Sir John de Munfinchan (*sic*) and Sir Hamon de Pottesle. Earl of
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(v.) A pair of Charters, number 615 *b, c*, of the date of 1295, are grants from Adam de Sparham of a tenement and lands in East Dereham and Ho. Adam seems to have been the Seneschal of the Bishop of Ely who had a wide tract of country and an important Manor and Grange at Dereham at this time; and the witnesses to these charters indicate that the Bishop's park and woods were kept up on a very lordly scale; they are Nigel le *Penser* (the steward), Roger le *Forrester* and Jacobus le *Warrener*.

(vi.) The Weasenham Charters amount to no fewer than 686, of which 167 were uttered before the close of the 14th century, two of them being of the time of King John. It was impossible for me to do more than inspect a small portion of this collection. No. 2655 is a quit claim from John Lambert, of Brisley, nephew of John Keating *late Hermit of St. Paul's Weasenham*. It is dated 24 June 1465. Fifty years later, in Charter 2784, Thomas Leek, *Hermit at Wesenham*, is named: while again in No. 3827, John Relingworth, of Wesenham St. Peter, by his will dated 15 Decr. 1528, leaves sixpence "to the Heremyght of St. Paulis." With these may be compared a Martham Charter No. 1355 whereby Richard of Martham grants certain lands in Martham to his brother William at a yearly rent of twelve pence and of an additional rent of two and a half coombs of barley to *Olive de Raveningham, Anchoritess*, during her lifetime. This grant was made in the reign of Henry III.

Charter 2662 is the award of three Arbitrators to whom was entrusted the settlement of a dispute regarding some lands in Wesenham in 1469, and is the only instance of such a reasonable method of avoiding litigation which has come under my notice so early in our rural history.

It is well known that the Jews were very numerous in East Anglia during the 13th century, and there are some indications in these charters of Jewish bankers or money lenders being found even in the country villages, and acquiring and holding land there. But Charter 1547 which cannot be later than the reign of King John bring us decisive evidence on the point. It is a grant by William Costio and Roger his son of a piece of land in Sparham to John son of Gerard de Folesham and his heirs—to be held in fee of the grantors. The charter is endorsed in mediæval Hebrew characters with a memorandum of the contents: "William son of Costio and Roger his son gave *Gremis* [which appear to be the name of the little estate, though no such name occurs in the charter itself] to Johan son of Gerhard of Folesham."

It is very noticeable that at the close of the 14th century (*i.e.*, after the great plague) Capitalists from the towns appear to have become frequent purchasers of small estates in the country parishes. Thus Robert de Bumpsteed, citizen of Norwich, buys 14 acres in Weasenham in 1353 (Charter 2483). Merchants at Lynn and Wells too acquire land (Nos. 2049, 2050, 2068, 2086), but the earliest and most curious instance is in Charter 945,—a grant from William Bakin of Grimston of land there to John Thusenpund, *Merchant of Germany*, dated 4 April 1306.

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All the Charters of the Parish of Castleacre, which formed an important part of the domains of the Earls of Warenne, are of a comparatively late date and uninteresting. There are none earlier than the 15th century. The Earl of Exeter probably retained the more ancient documents when the site of the monastery and manor passed into the hands of Sir Edward Coke in 1615. On the other hand, the Court Rolls of the Warrens' Manor constitute an immense collection numbering many hundreds at least. The earliest of these bundles make up an unbroken series from the 55th year of Henry III. to the 30th Ed. I. They are in almost perfect condition and even a cursory glance at them show how many side lights they would throw upon the domestic, judicial and economic history of the time and the relations existing between the Monastery and the Lord of the Manor. Perhaps the most curious and interesting discovery which rewarded Mr. Scott's examination of the Holkham Charters was the finding of a bundle of early conveyances of the time of Henry III. which are concerned with lands in the Parish of Mildenhall in the Isle of Ely. How they came into the possession of the Coke family cannot be explained, for, as far as we know, that family have never had any estates in this part of Cambridgeshire. These early charters go far to settle the long standing difficulty as to where the site of Clovesho is to be looked for in our maps. It is well known that in September 673 a council of the Anglo-Saxon Bishops was assembled at Hertford under Theodore, by the seventh Canon of which it was resolved that a Synod should in future assemble annually on the 1st August *in loco qui appellatur Clofeshoch*. Historians have never been able to agree as to the locality of "Clovesho," as it is usually called—though the records of at least seven councils held at the place are printed in Haddan and Stubbs, the two last being held there in consecutive years, just at the time when the Danish ravages began to assume a formidable character. These Mildenhall Charters show that in the 13th century there was a place where four ways met and which still served as a landmark in the district—designated as the *via vetus, quadrivium, campus de Clovenhowe* and the *via de Clovenhoe* : and as Mildenhall is situated exactly at the point where the Kingdoms of Mercia, Wessex and East Anglia meet, it seems hardly an unreasonable conclusion which has been come to by those well qualified to decide the question, that these charters go very far to settle at last the problem which has been perplexing us so long. The Mildenhall Charters have been printed in the East Anglian Notes and Queries, a publication with a very small circulation ; hence it has been thought well to give here all such extracts from the original documents as have any bearing upon the point at issue.

1. Sciant presentes et futuri quod ego Edmundus filius Willelmi de Mildenhall concessi Ricardo filio Roberti de Lambholm unam peciam terre mee *in campo de Clovenhowe* juxta terram ecclesie extendentem a via que vocatur Stiweye versus aquilonem secundum quantitatem illius terre quam dictus Ricardus de me tenet in feodo que scilicet terra est de dote matris mee. Habendam et tenendam de me et heredibus meis, &c.

2. Sciant presentes et futuri quod ego Ricardus filius Osberti Naute concessi et dedi et hae mea presenti carta confirmavi Roberto de Lambholm et heredibus suis pro homagio et servicio suo et pro duabus marcis argenti quas mihi dedit in gersuma Tres acras terre arabilis in campis de Mildenhal de feodo Roberti pistoris Scilicet tres dimidias acras jacentes [?] a *via de Bradehoe usque ad Sandpet* inter terram Henrici Hache et terram Mabilie vidue. Et *unam dimidiam acram ad quadrivium extendentem usque ad maram inter terram Girardi palmeri et terram Rogeri filii Alwi.* Et unam dimidiam acram jacentem inter divisam Rogeri del Fen et terram Henrici Hache extendentem inter duas maras. Et unam dimidiam acram extendentem a *via de Chadehle usque ad fossas Rogeri de Twamhel* inter terram Herberti de Holmo et terram Edwardi filii Henrici sive in predictis parcellis habeantur plus sive minus, &c.

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3. Sciant presentes et futuri quod ego Henricus filius Herberti concessi et dedi et hac mea presenti carta confirmavi Roberto de Lambholm et heredibus suis pro homagio et servicio suo et pro duabus marcis argenti quas michi dedit in gersumam unam acram terre mee jacentem inter terram Ricardi Fabri et terram Roberti pictoris sive in ea habeatur maius sive minus extendentem *a veteri via usque Alsti*, habendam et tenendam de me et de heredibus meis, &c., &c.

4. Sciant presentes et futuri quod Ego Willelmus filius Gerardi clerici concessi dedi et hac presenti Carta mea confirmavi Roberto de Lambholm pro homagio et servicio suo et pro duabus marcis argenti quas mihi dedit in gersumam tres dimidias acras terre arabilis in campis de Mildenhal, scilicet unam acram ad Stapenhoe jacentem inter terram Roberti pistoris et terram Roberti Pollard, *extendentem versus occidentem del Sti usque ad viam de Clovenshoe* et dimidiam acram super Litleie jacentem juxta terram Ricardi Hoblet versus orientem, tenendas et habendas, &c., &c.

PART II.

There are no less than 105 Maps of Parishes and Manors which form part of the estates of the Earl of Leicester in Norfolk, the earliest of which is of the date 1581. The latest is a survey of the East and West Marshes of Wells (Norfolk) made in the year 1804, whereby it may be seen how immense has been the reclamation of waste lands from the incroachment of the sea during the present century.

Forty-seven of these maps belong to a time long anterior to the inclosures of commons carried out at the close of the 18th century—and all exhibit more or less minutely the bewildering subdivision of land in the “open fields.” Such are No. 15, a map of Ashill A.D. 1581. No. 20, Holkham A.D. 1590. No. 19, Flitcham 1590. Sometimes the names of the tenants of the little strips are inserted and illustrate the wonderful confusion that prevailed in the tenure of these multitudinous patches of land scattered over a wide area. Map 36 sets out a kind of pictorial history of encroachments upon the common lands in the Parish of Flitcham—apparently in consequence of the suppression of the Priory there. This seems to have been drawn up in preparation for the Special Commission

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issued from the Exchequer to inquire into the disputes in the 42nd year of Q. Elizabeth. [Dep. Keeper's Rep. 38, p. 63, No. 2954.]

Among the large mass of Miscellaneous Charters and other instruments which have hitherto been only partially examined or arranged there are many which it is difficult to explain how they came to be here. Thus No. 3779 is a settlement of a suit in the County of York on Monday after the Feast of St. Hilary 33^o H. II. [A.D. 1187] concerning a carucate of land in Fridatorp [Fristhorpe co. Lincoln ?] between Walter de Fridatorp and Helias his son, and John de Beverlaco. Among the witnesses are Reiner Dapifer of Ranulph de Glanville (then Sheriff of Yorkshire) and twenty other signatories whose names indicate that they were pretty evenly divided among Yorkshire, Lincolnshire and Norfolk landowners.

No. 3785 is a deed of Feoffment by Thomas Howard, Duke of Norfolk, Earl Marshall, of all his Norfolk and Suffolk Estates—set out at large—with the “message called Howard House, otherwise called the late dissolved Charterhouse by Smithfield and other estates—to William Lord Pembroke, Lord Steward of the Household; Henry Earl of Arundel (the Duke's father-in-law); Robert Earl of Leicester; William Lord Howard of Effingham, Lord Chamberlain; Sir William Cecil, Principal Secretary; and Sir William Cordell, Master of the Rolls. . . . In trust for Philip Howard Earl of Surrey, son and heir of the said Duke; with remainder to his younger sons Lord Thomas Howard and Lord William Howard . . . This instrument is dated 1 February 11^o Eliz. [A.D. 1569] and signed by Lords Pembroke and Howard of Effingham, Sir William Cecil and Sir William Cordell. The seals of Lord Howard of Effingham and of Cecil alone remain. The settlement was evidently made by the Duke at the time when he was contemplating a marriage with Mary Q. of Scots, and entangling himself in those perilous ventures which ended in his death upon the scaffold on the 2nd June 1572.

The writings numbered 3243-3272 are concerned with the Prebend of “Sutton cum Buckingham alias Bucks.” According to Le Neve [*Fasti II.* 217] Richard Cox, afterwards Bishop of Ely, was presented to this prebend in June 1542 and surrendered it in 1547. Since that time “this noble prebend” has been lost to the Church of Lincoln, notwithstanding an attempt to recover the Estates in 1661. This collection of documents throws considerable light upon the outrageous spoliation of Church property by the oligarchy which bore sway in the reign of Edward VI. Thus No. 3243 is a copy (*temp.* C. II.) of the Preamble of the Duke of Somerset's surrender to King Edward VI., wherein *he sells to the King the Deanery of Lincoln and the Prebends of Sutton and Buckingham alias Sutton Buckingham, and Horley in the See of Lincoln* 1^o Ed. VI. No. 3244 is a copy of the Patent of King Ed. VI.; whereby *in consideration of the tithes of Ramsbury Co. Wilts. granted to the crown by the Duke of Somerset*, the King grants to the said Duke, the Prebends of Newthorps and Wilton co. York, and the Prebends of Sutton, Horton and Horley in the Cathedral Church of Lincoln—Dated 9 July 1^o E. VI. No. 3245—Grant to by Edward Duke of Somerset . . . to John Thinne, Steward of the King's Household . . . of the Prebends of Sutton, Horton, Horley &c.

. . . for a term of 80 years at £123 per annum. Dated 10 July 1° Ed. VI. No. 3246 is a covenant by the Duke to convey to the Crown the above Prebends and Manors &c. belonging to the said Prebends . . . Dated 20 July, 1° Edw. VI. That is the King had conveyed the Prebend to the Duke on the 9th July. The Duke had thereupon *next day* granted a lease of the manors &c. for 80 years to John Thinne; ten days later, he had given them back subject to a lease of 80 years. The subsequent dealings with the Prebend appear to be set forth in the remaining papers.

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No. 3800 is a Deed wherein "Sir Edward Coke of Godwick Knight" grants to his Executors in trust for his heirs male all his Books, Rolls, Institutes, Collections out of the Records and Rolls of Parliament, Copies of Records, Reports and other Collections and books whatsoever . . . And all my plate, Jewels, Antiquities and rarities of Coins and the other Household stuff . . . as a memorial of all his love and care of them to have and enjoy the use and possession of the same." Dated 18 December 1630. Appended to this document are two rolls, of which the one is an inventory of the Plate and other valuables; the other is a Catalogue of Books MSS. &c. The 1st Roll is divided into—i. Plate marked and weighed. . . . iii. Foreign coins and Antiquities. iv. English Coins. v. Jewels, among these are named "A ring set with a great Turkey which King Henry the 8 used to wear, and was pictured with it on his forefinger." Another ring "set with a great Diamon cut with fawcetts" is described as given to Sir Edward Coke by Queen Anne "for the discovery of the poisoning of Sir Thomas Overbury." Included among the pictures are those of Sir Thomas More, Bishop Fox, Bishop Fisher, The Lord Treasurer Burghley, Mr. Camden, Cardinal Wolsey and others. The Catalogue of Books is divided into 13 heads: the first includes the "Divinity Books Latin and English," with a sub-section enumerating (a.) Divinity MSS., (b.) Popish MSS., the last item of which is "Manie Breviaries, ladies Psalters and Manuels." Under the 5th head comes "Philosophy" with a sub-section—"Books of Poetrie" in which are named "Spencer's Fairie Q. . . . P. Sidney's Arcadia. . . . Mary Magdalen's Tears [by R. Southwell, S.J.], Poet Dante's Works." . . . It would be very interesting to find out how many of these Books and MSS. are still in the Library at Holkham. Each division of both rolls bears the Signature "Edw. Coke."

In a collection of "Miscellaneous Charters" which deserve little notice, is one which must not be passed over. It contains the original Letters Patent of James II. *confirming* the Patent of Charles II. whereby the latter altered the Title of the Corporation of the Town of Buckingham from *Bailiff and Burgesses* to the *Mayor and Aldermen* of the Borough and Parish of Buckingham and appointing as "Primus et modernus" Mayor, Henry Robinson and twelve burgesses, whose names are given, to be Aldermen—appointing also George, Lord Jeffreys Lord High Chancellor of England to be the first steward and to hold the office for life; and John Upton to be the first *Serviens ad clavum* (sub-bailiff). With the usual grants of fairs, markets &c. Dated Westminster 11th September 4° J. II.

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[1688]. The great seal is attached in brown wax. This charter is somewhat important proving as it does that Browne Willis was right, in his *History of Bucks*, when he affirmed that Charles II. in his 30th year (1684) gave a charter to the Borough altering the Title of government as above. Lipscombe denies that any such charter was issued and Merewether and Stephens appear to have been ignorant of its existence (*Hist. of Boroughs*, 1896 and 2283). Among the rough paper *Schedules of Early Charters* which are in the Muniment Room there are some notices of Early Rentals and Terriers of the Cluniac Priory of Castle Acre—and the Augustinian Priory of Peterstone in Burnham Overy. One of these which is a rent Roll of Castle Acre in the 13^o Ed. IV. contains no such *names of the Prior and Monks* as the writer of the Schedule leads us to expect.

The Manor Court Rolls in the Holkham Muniment Rooms must amount to several thousands. They are admirably arranged in parishes and are to be referred to without the least difficulty at a minute's warning. They constitute an immense mine of information which has been only partially worked by the students of English Social History and Economics.

The following list of Parish Maps embraces all those contained in the Holkham Archives which exhibit surveys of the several Parishes made before the inclosures. Some of these are possibly even earlier than the 16th century; where the date of the map is given it is noticed in the list. All these maps show the open fields, the various roadways and the extent of the several smaller estates with more or less minuteness. Those maps which are of a date posterior to the beginning of the present century are not included. The numbers are those by which they may be referred to in the Muniment Room.

Ashill AD. 1581	Nos. 15 and 20
„ AD. 1786	68.
Billingford and Beek Hall	82-84 and 86
Bintry 16th century	63
Burnham Overy	7, 16
„ Crab Hall AD. 1751	37
Castleacre AD. 1714	67
AD. 1757	66
Creake South	2, 8, 1, 24
Elmham North AD. 1708	95
Flitcham "very old"	19, 36, 61
of later date	87, 93, 100
Fulmodeston of various dates	30, 56, 60, 88, 92 & 44 (A.D. 1735)
Holkham "very old"	No. 39
AD. 1590	20
Eighteenth Century	35 and 104
Kempston 17th century (?)	No. 72
Lexham 17th century (?) of great interest	69, 71, 97
Longham of the 17th and 18th century	81, 89, 96
Quarles	55, 58
Sundry Parishes of various dates and under repair	46
Tittleshall—valuable and under repair	78

Warham AD. 1712, AD. 1724 and 1783	29, 31, 32	Earl of Leicester : Holkham Hall.
Waterden AD. 1713	No. 54	
Weasenham (tempore Ed. Coke ?)	99	
18th century	77, 91	
Wells— <i>Maps of Marshes</i>		
“Very old”	No. 22	
Harding, Survey of West Marshes	No. 13	
Sir John Turner’s ditto of East Marshes	No. 34	
East and West Marshes as they were in 1804	No. 12	
Wighton Parish Maps, 1718, 1720 and 1734	Nos. 40, 45, 43	

II. The Number of Letters hitherto discovered among the MSS. at Holkham of the 16th and 17th centuries has been inconsiderable. It still remains unexplained what became of Sir Edward Coke’s large collections of MSS.—more or less of a personal intrest.

For the most part the letters that I have examined are, with a single exception, of very little interest or value. That exception however can hardly be passed over without a line. It is asserted by Camden that among those supporters of Robert Earl of Essex, in his mad attempt at rebellion in February, 1601, who escaped hanging, a certain Sir Edward Baynham’s life was spared, “which Baynham redeemed with a sum of money paid to Raleigh.” Hitherto the assertion has been accepted as founded upon little more than current rumour. The following letter among the Holkham MSS. in Raleigh’s own hand throws a somewhat dreadful light upon Camden’s story. The letter itself needs no comment.

To the right worshipfull Mr. Atorney Generall.

Mr. Atorney, it would greatly expedite my business for Baynam if you would so pleas to write me a few lines to this effect. Yt whereas I intreated you to know whether her maiestye might reape any profit by Baynham’s deathe, or wher Baynham weare farther in in any of thes treasons then the comon sort of ye L. of Essex servants and followers, you will awnswere that you have looked into his estate and have deliverd your knowledge, ffor the land in Essex you shall order it as it shall pleas yow.

Your most assured loving friend,

W. RALEGH.

Durham House this M[on]day [m]orni[n]g.

Endorsed :—Sir Walter Rawleye his letter to S. Edw. Coke.

The time has hardly yet come for any detailed report upon the Holkham letters to be drawn up. There are probably a great many more to be discovered and arranged than are now known.

I have to thank the Earl of Leicester for his courtesy and the readiness which his Lordship has shown to make access to this important collection as easy as possible. I must also express my cordial appreciation of the assistance afforded on all occasions by Mr. Davidson who shows such an intelligent acquaintance with the treasures under his charge.

AUGUSTUS JESSOPP.

MANUSCRIPTS
OF
SIR WILLIAM CLAYTON, BART.,

PRESERVED AT
HARLEYFORD, MARLOW.

GARENDON, LEICESTERSHIRE.

[1177.]—Grant by Philip of Kime, for the weal of his soul and the souls of Hawise his wife, his children and ancestors, to the monks of Geroldon, of the tithes of all the lands which they had at Easter, 1177, in the parish of St. Andrew of Prestwald, paying to the parson of the said church yearly 3 marks at the feast of St. Botulf. Crant by the abbot and monks that, if they shall have acquired any lands in the parish of Prestwald since the said Easter, they will pay maniples in full thereof to the church of St. Andrew of the said town. Confirmation by the said Philip of grant by Hugh and his son Asketill touching his (Philip's) fee in Prestwald. Warranty clause. Witnesses:—Hugh, abbot of Revesbi, Galo, monk, Walter, monk of Wassinburg, Simon, William and Philip, sons of the said Philip, Roger of Benigwurd, Thomas son of William, William of Einesford, Ralph son of Osbert, Simon of Chanci, Richard of Ormesbi, Walter Alfort, Simon of Suabi, William of Barva, John, clerk, Richard de Sancto Petro, parson of the said church. *Seal.*

[ante 1204.]—Grant by Asketill of Berges to the monks of Geroldon of 4 carucates of land in Burton in frankalmoin. *Printed by Nichols, History of Leicestershire, iii. pt. ii. 818.*

[c. 1230.]—Composition of a dispute between the monks of Geroudon and Robert of Tatersale touching presentation of a priest or clerk to the house of Geroudon and trespass done upon a meadow, of 30 acres, in the territory of Holewell. Robert of Tatersale, by his proctor, John, rector of Tatersale church, and his steward, Thomas, rector of Wittun church, renounces the said presentation for ever, and grants quiet possession of the said meadow to the abbot and convent of Geroudon in frankalmoin. Adjudicators:—Hel', abbot of Revesby, R. abbot of Louth Park, and H. abbot of Kyrchestede, assisted by the venerable jurisconsults Gervase, prior of Bredon, and John, vicar of the said church, and Robert of Tintun', clerk. *Sealed with five seals, of which two remain.*

[1220-36.]—Grant by Margaret, countess of Winchester, sister of Robert, earl of Leicester, widow, to the monks of Geroudon, in frankalmoin, of all Henley, without reservation, to till, ditch and enclose the same and take all the fruits thereof. Also confirmation to the said monks of all the lands and tenements which they hold

by gift of the said Margaret's ancestors with all their franchises and appurtenances. Warranty clause. Witnesses:—William of Knappewell, the Countess's steward, and Roger de Sancto Andrea. *Copy.*

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[c. 1250.]—Grant by Reginald de Insula, son of Geoffrey de Insula, for the weal of his soul, of one bovat and four acres of land which the monks of Geroudon hold of his fee, by gift of Reginald Marc and Sara his wife, in the territory of Kirkebiwodehuses, to hold to the said monks with all appurtenances in perpetual alms at the yearly rent of 2s., payable 12*d.* at Michaelmas and 12*d.* at Easter, in lieu of all services &c. pertaining to him, saving foreign service. Warranty against all men except Richard Bari. Witnesses:—Ranulf of Jorz of Wymundewold, Robert Putrel, Hugh son of William, John of Queinburc, Robert of Jorz, Alexander Mille. *Seal.*

[c. 1250.]—Bond by Gilbert son of Herbert of Kyrkebiwodehuses, for payment yearly to the monks of Geroudon of 7*s.*, to wit, 3*s.* 6*d.* at Pentecost and 3*s.* 6*d.* at Martinmas, for the moiety of a bovat and two acres of land given them by Reginald Marc with the consent of Sara, his wife, in perpetual alms, and granted to the said Gilbert and his heirs in fee by charter corresponding to the present, saving foreign service and their reliefs to be had of his heirs. Gilbert swears fealty to the monks upon the Gospels, and that he will duly pay the said rent, and make no alienation of the said land to the disadvantage of the monks without their assent and consent. Witnesses:—Brother Walter, Prior of Felley, Sir William, parson of Kyrkebi, Reginald de Insula, Herbert de Insula, Robert Turcart, Thomas, clerk, of Anesley. *Seal.*

[c. 1250.]—Charter by Robert Bars, son of Geoffrey Bars of Dixeley, to the monks of Geroudon, in confirmation of exchange of certain parcels of land; to wit, "received by the monks one sellion before Dixeley gate for one half-sellion next my house, one half-rood extending to Arnwisiche for a ditch on their land next my house, the heads of two sellions next the ditch that bounds Havethirn for the head of a sellion extending to the way of Sepeheved, two sellions extending to the meadow of Geroudon over against Staniford for two sellions in the same field." Also confirming to the said monks three sellions in Dixeley field between Geroudon and Dixeley which they hold "by gift of my father Geoffrey" in frankalmoin, "and the meadow extending to Ketelbroch which my father gave them" in frankalmoin, and two sellions extending to their meadow which "they have by my gift over Eorleslinghill," quit of all secular service. The monks give a horse and a quarter of wheat for the confirmation. Pledge of faith by Robert and his brothers Geoffrey and Richard Bars. Witnesses:—Robert Ostrizarius; Gilbert, his brother, Ralph Stabularius, Richard Bars, Geoffrey, his brother, Samson of Leke, Roger of Rampestun. *Seal wanting.*

[c. 1250.]—Charter by Ernald de Bosco in confirmation of grant by his father to the monks of Geroldon of 12 acres in Torp field next his grange of Ringolthorp and the meadow now limiting the said land, in frankalmoin. Witnesses:—William of Wibetot, Nicholas of Houbi, Ralph Fridai, Robert of Granford, forester, Ernald "my son," Gilbert of Hinchele, Simeon, clerk. *Seal.*

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[c. end of thirteenth century.]—Grant by Zesilia, widow of Nicholas of Dranefeud, in Cosynton, with the consent and good will of her son and heir Thomas, to the monks of Geroudome, for the weal of her soul and the souls of Nicholas, her late husband, and William Dispensator, her father, and Thomas, her son, and all her ancestors and successors, of a messuage with houses thereon built in the town of Cosynton situate between the toft of John le King on the one part and the toft of William Page on the other, in frankalmoin. Warranty clause. Witnesses:—Sir Stephen of Ruxton, parson of Cosynton, Thomas, son of Richard, clerk, William of Meysam, William Broun, of Cosinton, Henry Russel, of Hahtthirn, Thomas Crakemerx, of Geroudon. *Seal.*

[c. 1320.]—Release by Alice, widow of Sir John Doily, of Watton, to the monks of Geroudon of a yearly rent of a mark which they were wont to pay to her late husband John Doily in respect of a mill and appurtenances next Thorp, which Thomas, son of Roger of Haltun, gave the said monks in frankalmoin. Warranty clause. Witnesses:—Laurence of Sotton, clerk, Simon Aleyn, of Watton, Roger Nauntel, of Hatherne, Richard Mache, of the same place, Roger Mache, of the same place. *Seal wanting.*

1392, September 17.—Grant by Thomas of Walton, clerk, and Thomas of Merdeley, of Sutton, of 2 messuages, 19 tofts, 121 acres, 1 rood in Thorpehanker and Schepehed to the Abbot and Convent of Geroldon and their successors for ever. Warranty clause. Witnesses:—Thomas of Kyrby, of Schepeshed, Thomas Jeke, of Cotes, Thomas Aleyn, of Hatherne, Edmund Grym, of Thorphanker, John Chamberleyn, of Hatherne. Dated the 17th day of September, 16 Ric. II. *Seals broken.*

1392-3.—Letters patent of John Duke of Aquitaine and Lancaster, Earl of Derby, Lincoln and Leicester, Steward of England, authorising Thomas of Walton, clerk, and Thomas of Merdeley, of Sutton, to grant a messuage, 100 acres of land, 12 acres of meadow, 4 acres of wood and 16 tofts, holden of the said Duke by military service in Thorp Hanker within his honour of Leicester, to the Abbot and Convent of Geraldon and their successors in perpetuity, the Statute of Mortmain notwithstanding, saving nevertheless the wonted services due to the said Duke and his heirs. Dated at Leicester Castle the third day of . . . 16 Ric. II. *Seal wanting.*

Seal of Robert son of Geoffrey of Dixley: trefoil with two crosses.

TANDRIDGE, SURREY.

[c. 1212.]—Grant by Odo of Dammartin, son of Odo of Dammartin, to William, son of Hugh, for his homage and service of all the lands with appurtenances which Blakeman and Hodgar held in his (Odo's) town of Tunruge [Tandridge], to hold to the said William and his heirs for ever at the yearly rent of 12*d.*, payable, at Easter 6*d.*, and at Michaelmas 6*d.*, in lieu of all services &c. save the King's service. Warranty clause. Witnesses:—Roland of Acstede, William Hansard, Nicholas Malemayns, Ralph of Pinpe, John Canutus, Thomas

de Sancto Johanne, William de Sancto Johanne, Eustace of Wolcensted, Nicholas Hinham, William of Gerstune, Adam of Gerstune. *Seal wanting.*

[As to Odo, son of Odo of Dammartin (fl. 1212) see *Testa de Nevill*, p. 226; *Red Book of Exchequer* (Rolls Ser.), p. 582; Manning and Bray, *History of Surrey*, ii. 324; *Surrey Archæological Collections*, ix. 23.]

[c. 1212.]—Grant by Roger son of William of la Frithe to the canons of Tanruge [Tandridge] in frankalmoin of six denariates of rent, to wit, of the land which John of Denmarke lately sold him, and which was lately held by Ralph, cobbler, in Tanruge, with all appurtenances, which land lies breadthways between the land of Eustace of Wolkested and the way leading from the gate of Tanruge Park towards Homwode, and lengthways betwixt land formerly held by Ralph, cobbler, and land late of Roger le Lung. Warranty clause. Witnesses:—Sir Drew, vicar of Wolkested, Eustace of Wolkested, Nicholas Heman, Eilred of Cumpwrthe, William, his son, Richard, clerk. *Seal wanting.*

[c. 1230.]—Grant by Henry of Gerlond to the canons of Tanrugge in frankalmoin of a sufficient way from his house gate at Hothore as far as to the water called the Medeweys for the behoof of all that may desire access on business to the mill of the said canons at Seyntetye, whether afoot or on horseback, the said Henry and his heirs to have in common with the said canons the right of fishing in the said water.

Grant by the monks to the said Henry, his heirs and assigns, of user of their said mill for grinding wheat and barley freely and without toll. Warranty and indemnity clauses. Witnesses:—Sir Reygnor, rector of Hertefeld, Henry of Fixeregge, Adam of the Mill, John of Ewregge, Robert, his son, Gilbert of Hothore, John Fabian, Gilbert Basset. *Seal.*

[c. 1270.]—Grant by Thomas of Warblintone, son of Sir Thomas of Warblintone, to the canons of Tenrugge, in frankalmoin, of one denariate of yearly rent that was wont to be paid him by Sir Roger of Derteford, clerk, in respect of a field called Fernilond in Tenrugge. Warranty clause. Witnesses:—Sir Thomas of Tychesye, John of Ludeham, Roland of Acstede, John of la Garstone, William of la Dune, John of Cumpewrthe, Robert le Butiler, Simon of la Stokette, Thomas of Acstede, Simon of Riscumbe, Morand of Tenrugge, Walter le Bissop, Roger le Parker. *Seal wanting.*

1278, May 26.—Quitclaim by Roger of Derteford, rector of the church of Orpynton, to the canons of Tanregge, in frankalmoin, of a rose of yearly rent with its appurtenances which they were wont to pay him at the Nativity of St. John the Baptist in respect of land purchased by him of Thomas, son of William of Wadestapele, with all its appurtenances lying in Editheheld in the parish of Chelesham. Witnesses:—John of Ludeham, Hubert of Estwod, Adam son of Roger of Chelesham, William of Stonhame, Giles of Porkele, John of Hesle, Henry, his son, William of la Dune. Dated at Tanregge, on Ascension Day, 6 Ed. I. *Seal wanting.*

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1290, June 25.—Quitclaim by John de Sancto Johanne, of the parish of Welkested, to Thomas of Warbelton, his heirs and assigns, of all his right in the land late of John Trapel which he had by gift of the said John, the said land being of the fee of the said Thomas. Witnesses:—Simon of la Byse, Laurence of Tudehamme, John Marchaund, William Coleman, William of Wyngham, John le Sune, Ralph Camel. Dated at Westminster on the morrow of the Nativity of St. John the Baptist, 18 Ed. I. *Seal wanting.*

1295, July 25.—Grant by Roger atte Wyke to the Prior and Convent of Tanrugge, for the weal of his soul and one half-mark, of a way on business through his land to their mill of Sandtye at the yearly rent of a pepper-corn payable at Christmas for ever. Warranty clause. Witnesses:—Robert of Stanegrave, John of Burstowe, knights, Sir Roger of Derteford, clerk, John Gisors, James of Hadresham, John of Stalkyndoune, Roger of Chelesham, Robert le Beer, John Fabian, Hugh le Whrigte. Dated at Tanrugge on the feast of St. James the Apostle, 23 Ed. I. *Seal.*

1320, September 27.—Grant by Friar Thomas, Prior of Tanregge, and the Canons of the said Convent to Humphrey, thresher, of Hertefeld, of 2½ acres in the field called Cothland, lying betwixt the King's way leading from Hertefeld towards Grenstede, eastwards, and their proper land, northwards and southwards, in Hertefeld parish, to hold the said 2½ acres with all their appurtenances to the said Humphrey and his assigns, freely, quietly, etc., from Michaelmas, 14 Ed. II. to the end of the next twenty years, at the yearly rent of 15*d.*, payable, at the feast of St. Martin in Winter 8*d.*, and at Hokeday 7*d.*, in lieu of all services etc. Warranty clause, and clause against waste. Reversion to the Convent. Witnesses:—Walter le Vitele, Hugh Carpenter, John Fabian, Roger Walter, John Basseth. Dated "in our chapter at Tanregge, 5 Kal. Octob.," 14 Ed. II. *Seal wanting.*

1323, December 8.—Quitclaim by Margery, widow of Robert le Botiler, of Tanrugge, to Roger le Franse, of Tanrugge, his heirs and assigns, of all her right etc. in a curtilage with houses built thereon in the said parish of Tanrugge, which curtilage the said Roger had bought of the said Robert, Margery's late husband. Witnesses:—William of Tanrugge, Robert le sone, Nicholas Bissop, Gilbert le colier, Gilbert of Kedburne, Robert Surte. Dated at Tanrugge 6 Id. Decembris, 17 Ed. II. *Seal broken.*

1463, August 1.—Grant by John Odierne, Prior, and the Convent of Tanrugge to Robert Derlyngton, citizen and fishmonger of London, of a yearly rent of 10*l.* sterling for the term of nine and a half years next ensuing the date of these presents, payable in the church of St. Nicholas Coldabbey, London, at Christmas and the Nativity of St. John the Baptist by equal parts, in satisfaction of a debt of 95*l.* In the event of the said rent being in arrear for 15 days after either of the said feasts in any year the said Robert, his executors or assigns, may lawfully enter and distrain on all and singular the lands and tenements of the Convent in the county of Surrey until payment of the rent due, with, if it be three months in arrear, a penal sum of 20*s.* Dated in the Chapter House of the said Prior and Convent on the first day of August, 3 Ed. IV. *Seal broken.*

BERKS AND BUCKS.

[ante 1284.]—Grant by Sir William, of Englefeud, to his brother Alan, of Englefeud, and the heirs of his body lawfully begotten, of one moiety of a virgate of land with appurtenances in Echecote, which John, *filius presbyteri*, formerly held of the said William, to hold the said land to the said Alan and the heirs of his body lawfully begotten, freely &c., at the yearly rent of 5s., payable, one moiety at Lady Day, and the other moiety at Michaelmas, in lieu of all services. Reversion to William and his heirs in the event of Alan's death without lawful issue. Warranty clause. Alan pays 40s. for the grant. Witnesses:—John of Englefeud, Thomas de Sancto Andrea, Robert of Craunford, Thomas of Echecote, John of Thedmers. *Seal wanting.*

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1480, July 4.—Grant by Thomas Frowik, knight, Reginald Asshe, of London, merchant, and John Tatersale, gentleman, to Isabella Osbern, widow, of all the messuages, lands, tenements, rents, reversions and services, with their appurtenances, in Lynford Magna in the county of Buckingham, late of her brother Edward Walshe, son of Richard Walshe of Lynford Magna, of which messuages etc. the grantors are feoffees to her use. Dated on Tuesday next after the feast of the Apostles Peter and Paul, 20 Ed. IV. *Two seals broken.*

1480, December 4.—Appointment by Isabel Osbern of William Mulso, the younger, and William Bruse as her attorneys to receive seisin on her behalf of her messuages, lands &c. from Thomas Frowik, knight, Reginald Asshe, of London, merchant, and John Tatersale, gentleman, or their attorney. Dated on the 4th day of December. 20 Ed. IV. *Seal wanting.*

1443, April 8.—Grant by Robert Englefeld, lord of Englefeld, esq., to Drew Barentyn, Thomas Walron, and William Kendale, of divers messuages, lands, tenements, rents and services with appurtenances in Englefeld, to hold the same to the said Drew Barentyn, Thomas Walron, and William Kendale, their heirs and assigns, of the chief lords of the fee by the due and wonted services for ever. Warranty clause. Witnesses:—Robert Shotesbroke, knight, John Noreys, Edward Langford, Richard Restwold, William Perkyns. Dated on the 8th day of April, 21 Hen. VI. *Seal broken.*

TOTNES, DEVON.

[c. 1302.]—Grant by William of Cyrecestre to Stephen of Sanddrygge of a garden with appurtenances in Parva Tottenays on the way from the Lepers' House of St. Mary Magdalene towards the Chapel of St. Peter on both sides of the rivulet of Sytereckescumbe, and 12 acres of land in Parva Tottenays with appurtenances for ever, saving the course of the said rivulet, at a quit rent of fifteen (?) shillings. For which grant the said Stephen pays a mark. Warranty clause. Witnesses:—Benedict le Bon, Michael of Malleston, W. . . . le Bastard, Matthew of Bocklaunde, Henry Galewey, Adam le Fria, Geoffrey Dolyn, clerk. *Seal wanting.*

[c. 1302.]—Grant by Richard of Clauton to Walter le Bon, of Tottenays, of a tenement with appurtenances in Tottenays called la Medechole situate betwixt land late in the tenure of Hamelin de

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Fonte and the way leading towards the Chapel of St. Mary Magdalene, to hold the same tenement with appurtenances to the said Walter, his heirs and assigns forever, doing the yearly service to the lords of the fee. Walter pays 5 marks for the grant. Witnesses:—Robert of Cumpton, Thomas of Strete, John de Fonte, Benedict le Bon, Walter Scot, Geoffrey Dolin, Stephen Hag. *Seal wanting.*

[c. 1302.]—Grant by Walter le Bon, of Totton', to Agatha, daughter of Geoffrey le Floyte, of Northeford, of all the tenement called la Medechole in South Totton' at the yearly rent of one rose to be rendered to me on the feast of the Nativity of St. John the Baptist, and 2*d.* payable to the lords of Totton' for the time being at Easter, and a pair of gloves deliverable at the same term to the heirs of Robert, blacksmith, in lieu of all services &c. Warranty clause. Witnesses:—John de Fonte, John Wade, Michael of Malleston, Andrew of Wyth, Geoffrey Delyn, Robert Tylie, Walter Auger. *Seal.*

1331, October 21.—Grant by William Pypard to William Kene, of Dounhameneye, and Joan, his wife, of a garden with appurtenances in Little Totton' on the way leading from the Lepers' House of St. Mary Magdalene, Totton', towards St. Peter's Chapel on either side of the rivulet that comes down from Syterescombe to Little Totton' mill-pond, and 10 acres of land in Little Totton' which he had recovered in the King's Court against the said William and Joan his wife as his right, to hold the same to the said William Kene and Joan his wife, and the lawful heirs of their bodies, at the yearly rent of 12*s.*, payable quarterly in equal parts, with suit at Little Totton' court twice a year, to wit, at Hokeday and Michaelmas, in lieu of all services &c., saving royal service when it shall fall to be due. Reversion in the event of the death of the said William Kene and Joan his wife, without lawful heirs, to the said William Pypard, his heirs or assigns. Warranty clause. Witnesses:—William and Thomas of Cobaton, John of Esse, Stephen Strete, John Mayhoun. Dated at Little Totton' on Monday next after the feast of St. Luke the Evangelist, 5 Ed. III. *Seal.*

1331, November 4.—Grant by William Pypard to Stephen Moryngh and Alice, his wife, of a cottage and curtilage adjoining the same in Little Totton', which he had recovered against the said Stephen in the King's Court as his right, to hold the same to the said Stephen and Alice for their lives and the life of the survivor at the yearly rent of 2*s.*, payable quarterly in equal parts, with suit at Little Totton' court twice a year, to wit, at Hokeday and Michaelmas, in lieu of all services &c., saving the King's service, when it shall fall to be due. Warranty clause. Witnesses:—William and Thomas of Cobaton, John of Esse, Stephen Strete, William Kene. Dated at Little Totton' on Monday next after the feast of All Saints, 5 Ed. III. *Seal wanting.*

1334-5, February 20.—Letters patent of William Pypard appointing William Kene his bailiff at Little Tottenisse to collect his rents and otherwise act in his behalf. Dated at Churleton on the Monday before the feast of St. Peter's chair, 9 Ed. III. *Seal wanting.*

1335, March 26.—Grant by William Pipard to William Kene, of

Dounameneye, and Joan, his wife, of $5\frac{1}{2}$ acres and 1 virgate of land, except 20 perches, in Little Totton', of which Martin Pocock formerly held $1\frac{1}{2}$ acres and 1 virgate in two closes and Thomas of Cobaton 4 acres except 20 perches, to hold all the said lands with appurtenances to the said William Kene and Joan his wife, and the lawful heirs of their bodies, at the yearly rent of 11s. 3d., payable quarterly in equal parts, with suit at Little Totton' court twice a year, to wit, at Michaelmas and Hokeday, in lieu of all services &c., saving the King's service so far as it pertains to the said land. Reversion in the event of the death of the said William Kene and Joan his wife without heir to the said William Pipard, his heirs and assigns. Warranty clause. Witnesses:—Richard Bastard, Peter Priour, John atte Forde, Henry P . . yles, Adam Edward. Dated at Cherleton on Sunday next after the feast of the Annunciation of Blessed Mary, 9 Ed. III. *Seal.*

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1338, October 5.—Grant by William Pipard to William Kene, of Dounhameneye, and Joan, his wife, of one acre of land with appurtenances in Little Totton', lying between the close of Adam Langtre eastwards and the land of Robert Wicombe southwards, and the close of Anastasia, widow of John Riche, northwards, and the King's way from Totton' to Dertemothe westwards, to hold to them and the heirs of their bodies at the yearly rent of 2s., payable quarterly in equal parts. Reversion on failure of lawful issue to the donor, his heirs or assigns. Warranty clause. Witnesses:—William of Cobaton, Thomas of Cobaton, John of Esse, William atte Wode, Henry Hore. Dated at Little Totton' on Monday next after Michaelmas, 12 Ed. III. *Seal wanting.*

1345-6, January 16.—Grant by William Pypard to William Kene, of Dounhameneye, and Joan, his wife, of two acres of land in Little Totton' which Nicholas Tounman held for life by delivery from the donor in the said town of Little Totton', to hold the said two acres to the said William and Joan, and the heirs of their bodies, at the yearly rent of 20d., payable quarterly in equal parts, with suit at Little Totton' court twice a year, to wit, at Michaelmas and at Hokeday. Reversion in failure of issue to the donor, his heirs or assigns. Warranty clause. Witnesses:—Thomas of Cobaton, Geoffrey Scoteneale, John Glas, Adam Laungetru, John Mayhoun. Dated at Cherleton, on Monday next after the feast of St. Hilary, 19 Ed. III. *Seal wanting.*

1347, May 7.—Grant by Robert Honiwill, of Totton', to his cousin John of Honiwill and Isabel, widow of Adam Foyl, of all his tenement, with appurtenances, called la Medeshole, in the south part of the town of Totton' to hold the same tenement with appurtenances to the said John and Isabella and his, John's, heirs and assigns, of the chief lords of the fee, reserving to the donor a yearly life-rent of 60s. payable at Michaelmas; in default the said Robert may lawfully enter the said tenement and hold the same quit of the said John and Isabel and John's heirs for ever. Warranty clause. Witnesses:—William Kene, reeve of the said town, John Gilberd, John Mayhoun, John of Esh, Geoffrey Scoteneale. Dated at Totton' on Monday next after the feast of the Invention of the Holy Cross, 21 Ed. III. *Seal wanting.*

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[1348 ?]—Inventory of all the goods late of Isobella, wife of Adam Honewyll at the time of her death, to wit 2 utensils, value 2s. 6d. item, 1 brazen pot, value 3s., item, 1 pitcher, value 12d., item, 2 brazen platters, value 8d., item, 1 supertunic with a hood, value, 18d. item, 2 coffers, value 12d., item, 1 chest, value, 6d., item, 1½ bushel of wheat, value, 9d., item, 6 bushels of barley, value 3s., item, 12 bushels of oats, value 18d., item, 1 fan, value, 8d., item, 2 light tunics, value, 8d. Item, other goods not appraised, value, 6d. Sum 17s. 3d.

1348, November 23.—In the name of God amen : on Sunday next before the feast of St. Katherine Virgin in the year of the Lord 1348 I Isobella, wife that was of Adam of Honawyll, put together my will on this wise : In the first place I bequeath my soul to God and my body to the earth, item, I bequeath to Sir John, vicar of Totton, 2s., item, to Sir John Odenel, chaplain, 12d., item, to the same one brazen platter, and one coffer of the better sort, item, to Walter Wyth 6d., item, to Peter Priour, junior, one heifer (?), item, to the work of Blessed Mary of Totton' 2d., item, to Totton Bridge 3d. Item, I bequeath to the aid of the chalice of Totton' parish church 6d., item, to John Machn one utensil, one brazen pot and one brazen platter. Item, I bequeath to Joan, wife of William Kene atte Lake, one great chest, item, to John Selye one pitcher, item to Margaret, wife of John Machn one supertunic with a hood. Item, I give and bequeath all that tenement with appurtenances which I had by bequest of my son John of Honewylle to William Kene atte Lake, to hold to him, his heirs and assigns for ever, by the rent and services due and wonted. For the faithful execution of this testament I make, ordain and constitute my executors, to wit, Sir John, vicar of Totton' and William Kene atte Lake.

1391, November 10.—Grant by John Petypas to Margery Kene, widow of Roger Srekker atte Lake, of a messuage called Meteschole in Great Totton' and a close of land in Tibecombe with their appurtenances, which he had of late of the gift and feoffment of the said Roger and Margery, to hold to the said Margery, her heirs and assigns for ever, of the chief lords of the fee by the wonted services, and at the yearly rent to the said John, his heirs and assigns, of 13s. 4d. payable quarterly. Clause for re-entry if the rent shall be in arrear for fifteen days. Witnesses :—John Russell, mayor, John Hempton, reeve, of Totton', Walter Soche, Thomas Morys, John Some, John Maioun, John Helier, John Kyng, Henry Serle, Peter Maioun. Dated at Totton' on Friday next before the feast of St. Martin, Bishop, 15 Ric. II. *Seal wanting.*

1418–19, February 25.—Appointment by Edward Legh, chaplain, of John Forde, of Totteneyss, as his attorney to deliver in his behalf full and peaceful seisin of and in all the close, with appurtenances, called Mathuesperk in Tybecombe, to Thomas Baker and Nichola his wife pursuant to charter thereof made. Dated at Totteneyse on Saturday next after the feast of St. Mathias, Apostle, 6 Hen. V. *Seal broken.*

1430, July 25.—Grant by Peter Rose, of Plympton, and John Hamelyn, of Totteneyss, to William Leye and Margery his wife, of all

the tenement in Magna Totteneyns called Meteshole with the adjacent Sir garden and appurtenances, and a close of land at Tybecombe, to hold William the same with their appurtenances to the said William and Margery, Clayton, his wife, and their heirs lawfully begotten of Margery's body for ever, Bart. — of the chief lords of the fee by the due and wonted rents and services. Remainder in default of such issue to Joan, Margery's sister, and the heirs of her body lawfully begotten for ever; in default thereof reversion to the right heirs of Nichola, wife of Thomas Baker. Witnesses:—Henry Hert, mayor of Totton', William Ryder, Thomas Veale, John Hillyng, Thomas Pyriham, John Burhed, John Petard, reeve. Dated at Totteneyns on the feast of St. James, 8 Hen. VI. *Seals broken.*

1450, December 7.—Grant by William Davy atte Lake and Margery, his wife, to Walter Antron and James Lucas, of a tenement with adjoining garden, close and appurtenances situate in Magna Totteneyns and Tybecombe, to hold to the said Walter and James, their heirs and assigns, of the chief lords of the fee by the due and wonted services for ever. Warranty clause. Witnesses:—John Burhed, mayor of Totteneyns, William Rowe, Nicholas Cohewe, Bartholomew Fays, Roger Cole, William Furs. Dated at Totteneyns on Monday next after the feast of St. Andrew, Apostle, 29 Hen. VI. *Seals wanting.*

1494, June 22.—Grant by Henry Dany and Robert Davy to John Norseworthy of a close of land with appurtenances called Matheys Parke situate within the tithing of Tybecomb and between the King's way leading from Totton' to Dertmouth, on the west, and a close of land belonging to the church of Ayschebryngton, on the south, and a close of land called Henclyve, on the north, and a close of land belonging to the heirs of Worthy on the east, to hold the said close, with its appurtenances, to the said John Norseworthy, and his assigns, for the term of 22 years next ensuing, at the yearly rent of a red rose payable to the said Henry and Robert and their heirs on St. John the Baptist's day, in lieu of all services. Distress and warranty clauses. Witnesses:—Nicholas Snape, William Hokemore, Geoffrey Hacwyll, Robert Legge, Walter Cosby. Dated on the 22nd day of June, 9 Hen. VII. *Seals wanting.*

LONDON.

1353-4, January 22.—Grant by Joan Potyn, widow of Gilbert Potyn, of Petit Wales, hard by the Tower of London, of tenements and quay and other appurtenances in the parish of All Saints, Berkyngechirche, in the lane of Petit Wales in the said city, to Thomas Broun, citizen and wool-merchant of London, upon the determination of a term of four years granted to Thomas Cloville, citizen and chandler of London, to hold to the said Thomas Broun, his heirs and assigns, the same tenements, quay and appurtenances, freely, quietly &c. of the chief lords of the fees by the wonted and lawful services in fee and inheritance for ever. Warranty clause. Witnesses:—Nicholas Pyke, Andrew Turke, Thomas of B . . . ton, John . . . s, Philip Maundeville. Dated at London on the 22nd day of January, 27 Ed. III., Adam Fraunceis

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being then Mayor, and William of Wolde and John Little Sheriffs, of London. *Seal wanting.*

1397, Christmas:—Demise by Thomas Boys, citizen of London, to John Haddele, citizen and shipwright of the same city, of a house or mansion situate to the eastward of the said Thomas's wharf in Petit Wales in the parish of All Hallows, Berkyngchirche, hard by the Tower of London, to hold the same, with the eastward half of the said wharf pertaining to the said house, to the said John and his assigns from Christmas, 21 Richard II., to the end of the next ten years at the yearly rent to the said Thomas, his heirs or assigns, of 16s. payable quarterly by equal parts, and 2s. to the chief lords of the fee. The premises to be kept in repair by the said John or his assigns at his or their expense. Distress and eviction and warranty clauses. Dated at London, the feast and year above written. *Seal broken.*

1424, December 20.—Grant by Robert Palmere, of Asshewell in the county of Rutland, to John Bardolf, lighterman, John Bacoun, . . . and John Rolf, shipwright, citizens of London, of two tenements with adjoining quay and appurtenances, situate in Petit Wales Street, London, between the tenement of Robert Broun, skinner, and that of Thomas Knoville, foistour, to hold to the said John Bardolf, John Bacoun and John Rolf, their heirs and assigns for ever, of the chief lords of the fee by the due and wonted services, quit of all claim by the said Robert Palmere or his heirs. Witnesses:—Robert Arnold, John Horold, Robert Colbrook, John Joye, Thomas Drayton, Robert Cristemasse. Dated at London on the 20th day of December, 3 Hen. VI., John Michel being then Mayor, and Simon Seman and John Bythewater Sheriffs, of London. *Seal wanting.*

1448-9, March 10.—Grant by William Colyn and Alice, his wife, to William Marwe, William Aston, John Wilton and John Steward, of an annual quit rent of 5 marks for the term of the life of Margery, wife of Walter Bartlot, citizen and fishmonger of London, late wife of Robert Broun, in respect of a tenement with appurtenances in Thamistrete, in the parish of St. Dunstan in the East, London, situate between the Tavern called le Aungell on the west and the tenement of John de Stodey on the east, and between the tenement and garden late of Sir Walter de la Pole, knight, on the north and the Thames' King's way on the south, the said rent being receivable quarterly by equal portions, and in default recoverable by distraint, the grant being nevertheless a mere security for the indemnification of the grantees by the grantors against their liability for an annuity of 4 marks and another annuity of 6s. 8d., payable to the said Margery in respect of the said and other tenements. Dated on the 10th day of March, 27 Hen. VI. *Seals wanting, or broken. Endorsed,* inrolled in the Husteng of London of common pleas held on Monday next after the feast of the Translation of St. Benedict, Abbot, 27 Hen. VI.

1488, May 12.—Grant by Richard Higham and Thomas Frowyk to William Marowe and Joan, his wife, of a great place with a wharf called Galey key, with appurtenances, and likewise a tenement called le Maydenhede, with appurtenances, situate in the parish of All Hallows, Berkyng, within the City of London, to hold the same to the said William and Joan and the heirs of their bodies; in default of

such issue, remainder to the said William Marowe and the heirs of his body; in default of such issue, remainder to Thomas Marowe, brother of the said William Marowe, and the heirs of his body; in default of such issue, remainder to the heirs of the body of Joan Clopton, sister of the said William; in default of such issue, remainder to Katherine Throgmorton, and the heirs of her body; in default of such issue, remainder to the right heirs of William Marowe, late Mayor of London, father of the said William, for ever. Dated on the 12th day of May, 3 Hen. VII. *Seals broken.*

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MISCELLANEOUS.

1370-1, February 9.—Grant by John Passemere, of Tuttebury, to Thomas Passemere, of Tuttebury, and Marjery his wife, their heirs and assigns, of a place of land with appurtenances in Tuttebury in le Brokstrete betwixt the burgage of John of Marchynton on the one hand and the burgage of Alice Passemere on the other hand, to hold the same to the said Thomas and Marjery, their heirs and assigns, of the chief lords of the fee by the wonted and lawful services &c. at the yearly rent of 1*l.*, payable to the chief lord of the fee, at Easter $\frac{1}{2}$ *d.* and at Michaelmas $\frac{1}{2}$ *d.* Warranty clause. Witnesses:—William of Burton, of Tuttebury, John of Cosynton, of the same place, Henry Sadeler, bailiff of Tuttebury, Henry Heywode, Walter Cade. Dated at Tuttebury on Sunday next after the feast of the Purification of Blessed Mary the Virgin, 45 Ed. III. *Seal broken.*

1468, May 4—Grant by Richard Josson, of Freston, to Richard Welhous and his wife, Alice Hyltoft, daughter of John Hyltoft, of Ingelmelles, of two places of land with buildings thereon and appurtenances in Freston, to hold the same to them and the heirs of their bodies of the chief lords of the fee by the due and wonted services. Witnesses:—William Pysshy, of Freston, William Holond, of the same place, John Byshope, of the same place, William Okekenys, of Ingelmelles, John Crory, of the same place. Dated at Freston on the 4th day of May, 8 Ed. IV. *Seal wanting.*

1509, June 8.—Grant in execution of the last will of John Wyghton, late burgess and alderman of Cambridge, by his executor Robert Morehouse, burgess and alderman of Cambridge, on receipt of 20 marks, to John Bury, burgess and alderman of Cambridge, and Alice his wife, John Crakynghorpe, alderman of Cambridge, and Henry Hawlehed and William Synderton, burgesses of Cambridge, of a messuage with appurtenances in Barnewell in the county of Cambridge, situate between the tenement of the Prior and Convent of Barnewell on the west and the tenement late of Simon Reynold on the east, abutting northward on the King's way and southward on the land of the said Prior and Convent called Coldham Crofte, to hold the same to the said John Bury and Alice, his wife, John Crakynghorpe, Henry Hawlehed and William Synderton, their heirs and assigns, to the use of the said John Bury, his heirs and assigns, of the chief lords of the fee by the due and wonted services for ever. Warranty clause. Witnesses:—Hugh Chapman, Mayor of Cambridge, William Barbour, Richard Clerke, Robert Smyth, mercer, William Gootes, bailiffs of the said

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town. Dated at Barnewell on the 8th of June, 1 Hen. VIII. *Endorsed* with memorandum of delivery of seisin in presence of John Thyrlaby and others. *Seal broken.*

1392, October 7.—Quitclaim by Juliana atte Rode, widow of John of Thetteforth, of Estbradenham, to John of Blyth, clerk, and John Sparke, of Necton, of a piece of land called Maggeslonde with Littlyn-gacre, and four other pieces of land in Estbradenham. Warranty clause. Witnesses:—Ralph atte Eldehalle, John atte Laune, Thomas of Witton, Thomas Sennan, Roger Colyn, Roger Kew, junior. Dated at Estbradenham on Monday next after the feast of St. Faith, 16 Ric. II. *Seal wanting.*

1394-5, February 7.—Grant by Ralph Ingrynghowe, of Skernynges, to William, priest, of Wendlyng, of 4 pieces of land in Skernynges, to hold the same with their appurtenances to the said William, his heirs and assigns, of the chief lords of the fee, by the due and wonted services, in fee and inheritance for ever. Warranty clause. Witnesses:—John Peytour, of Skernynges, William Holbec, John Pumfryt, of Estbradenham, John . . . of Schortwode, of Westbradenham, Thomas Bay, of the same place. Dated at Skernynges on Sunday next after the feast of the Purification of Blessed Mary the Virgin, 18 Ric. II. *Seal wanting.*

1395-6, February 2.—Grant by Robert Soppe, perpetual vicar of the moiety of the church of Skernynges, to John Bynges, parson of the moiety of the said church, John Sterlynges, senior, of Estbradenham, Geoffrey Jamyssone, James Colsy, and William Holbec, of lands and hereditaments with liberty of foldage in Skernynges to be holden of the chief lords of the fees by the wonted services. Warranty clause. Witnesses:—John Peytour, of Skernynges, Thomas of Seggeforde, John Pumfryt, Robert Clerke, Richard Umbeym. Dated at Skernynges on the feast of the Purification of Blessed Mary the Virgin, 19 Ric. II. *Seal wanting.*

1410, October 1.—Grant by John Benges, rector of the moiety of the church of Skernynges, to John Potter, of Neketon, John atte Moor, of Hengham, Walter Starlyng, of Estbradynham, and John Coupere, chaplain of Skernynges, of a messuage, three pieces of land and a toft called Estmumdystoft, with appurtenances, in Skernynges, with liberty of foldage in the said town, to hold all the premises to the said John Potter, John atte Moor, Walter Starlyng and John Coupere, their heirs and assigns for ever, of the chief lords of the fee by the due and wonted services. Witnesses:—Ralph . . . , Thomas Lelye, Alexander Rene, John Somerby and John Auncel. Dated at Skernynges on Wednesday next after Michaelmas, 12 Hen. IV. *Seal wanting.*

1369-70, January 28.—Quitclaim by Simon le Wynd, of Wolcome-stowe, and Thomas, his son and heir, to William atte Merssch, of the same place, and Alice, his wife, of all right &c. in one acre of meadow with appurtenances in the said town of Wolcomestowe in a certain meadow called Depelake betwixt the meadow of the Prior and Convent of Holy Trinity, London, northwards, and the meadow of John Springold, southwards. Warranty clause. Witnesses:—Simon Lece, Robert Wrythele, Thomas Kenet, John Waryn, John

Aleyn. Dated at Wolcomestowe on the 28th day of January, 44 Ed. III. *Seals.*

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1395, October 20.—Grant by John Lord of Cobham, John Harliston knight, Thomas Feriby, clerk, John Frome, Edmund Brokesbourne, Nicholas Mylis, clerk, and John Corbet to Thomas Duke of Gloucester and Eleanor, his wife, of all the manor of Westhurrok in the County of Essex with the advowson of the church or prebend of Westhurrok with all and singular their appurtenances, which they had by assignment from Roger Mareschall, John Braye, Thomas of Leyghe, John Gobyon, of Standon, John Aspoll, John Berdefeld, and Stephen Haddele, to hold the said manor and advowson with the appurtenances to the said Thomas Duke of Gloucester and Eleanor his wife, their heirs and assigns, of the chief lords of the fee by the due and wonted services for ever. Dated at Westhurrok on the 20th day of October, 19 Ric. II. *Sealed with seven seals of which fragments remain.*

1476, October 17.—Grant by Thomas Houghton, citizen and salter of London, to John Benyngton, citizen and grocer of London, and Joan, his wife, Robert Forster and John Elryngton, senior, gentlemen, of all the acre of meadow, with its appurtenances, called Wyndesacre in Depelake within the meadow called Walcomstowemede in Walcomstowe, in the county of Essex, to hold the said meadow called Wyndesacre with its appurtenances to the said John Benyngton, Joan, his wife, Robert Forster, and John Elryngton, their heirs and assigns, of the chief lords of the fee by the due and wonted services for ever. Warranty clause. Witnesses:—Henry Nettelworth, John Webbe, senior, John Colard, senior. Dated at Walcomstowe on the 17th day of October, 16 Ed. IV. *Seal broken.*

1532–3, March 20.—Grant by Robert Mason, of Westhurroke in the county of Essex, husbandman, son and heir of John Mason, late of Westhurroke, yeoman deceased, to William Hollys, citizen and alderman of London, Edward Hollys, Robert Deane, John Hutton and John Muklow, citizens of London, of all his lands &c. in the towns, parishes and fields of Westhurroke and Stifford in the county of Essex or elsewhere in the said county, to hold the same to the said grantees, their heirs and assigns, to the use of the said William Hollys, his heirs and assigns for ever, of the chief lords of the fee by the due and wonted services. Warranty clause. Dated on the 20th day of March, 24 Hen. VIII. *Seal broken.*

1391, December 17.—Grant by Henry Schopper, of St. Margaret of Clyve, to Richard Palmer, the elder, of Westlen', John Palmer and Denis Palmer, sons of the said Richard, of a croft of 6 acres with appurtenances at Eastber', in the parish of Westlen' and the tenure of Sir Reginald de Cobham, to hold the said 6 acres with appurtenances to the said Richard, John and Denis, their heirs and assigns, of the chief lords of the fee by the due and wonted services. Warranty clause. Witnesses:—John Sayer, senior, John Sayer, junior, Denis Quikiman, John Engeland, Quikiman Sayer, John Sole, Henry Quikiman, John Abblot, Richard Litelbery. Dated at Westlen' on 17 December, 15 Ric. II. *Seal wanting.*

1408, June 24.—Grant by Stephen son of Michael Robyn, of Lyde, to his brothers, John and Simon, of all his part of their

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principal tenement in the said town of Lyde which fell to them by the death of their father Michael. Warranty clause. Witnesses :—Richard Eylewyn, Nicholas Eylewyn, John Longe, Richard Spice, Simon Longe, William atte Wyk and Walter atte Wyk. Dated at Lyde, on the 24th day of June, 9 Hen. IV. *Seal wanting.*

1440, June 25.—Quitclaim by William Smyth and Richard Smyth, of the parish of Lyde, to William Baker, of Dengemershe, his heirs and assigns, of 4 acres of land with appurtenances in Dengemershe and in the tenure of the Abbot and Convent of Battle, and one penny of quitrent, receivable yearly at Christmas in respect of a tenement in Dengemershe called the tenement of Laurence Garard. Witnesses :—John Bate, farmer of the Court of Dengemershe, Stephen Elys, Nicholas Howlyn, Simon Howlyn, Hugh Veall, John Garard, Simon Maket. Dated at Lyde on the 25th day of June, 18 Hen. VI. *Seal wanting.*

1499–1500, January 12.—Grant by Adrean Dyne, Richard Dyne and John Dyne, of Lyde, sons and heirs of Richard Dyne, late of Lyde, now deceased, to John Rybsforde of the same place, of a parcel of land with all appurtenances in the parish of Lyde, in the tenure of the court of Aldyngton, to hold the same to the said John Rybsforde, his heirs and assigns, of the chief lords of the fee, by the due and wonted services for ever. Warranty clause. Witnesses :—James Swan, bailiff, John Howe, John Hogolet, John Brande, John Gregory. Dated at Lyde on the 12th day of January, 15 Hen. VII. *Seals wanting.*

1502–3, February 16.—Grant by John Bate, the younger, and Thomas Holme, of Lyde, to Simon Watt, of the same place, of a third part of four pieces of land with appurtenances in Lyde, to hold the same to the said Simon Watt, his heirs and assigns for ever, of the chief lords of the fee, by the due and wonted services. Witness :—John Nycoll, bailiff. Dated at Lyde on the 16th day of February, 18 Hen. VII. *Seals wanting.*

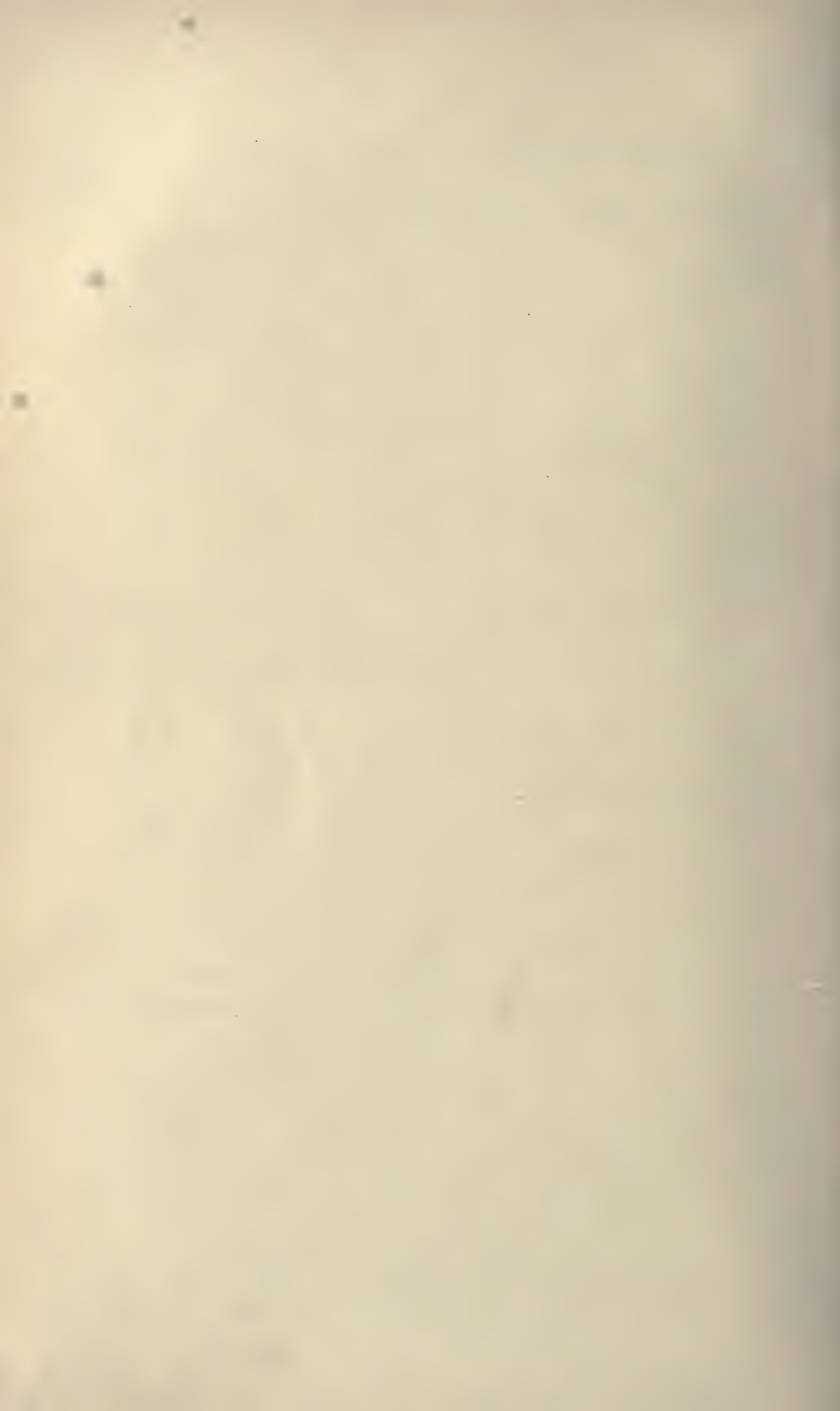
1537, April 7.—Grant by Edmund Ederyk, of the town and port of New Romeney in the county of Kent, to Agnes Goston, wife of Jeffray Goston of Lydde in the said county, of a messuage with garden annexed and appurtenances in Lydde, to hold the same to the said Agnes Goston, her heirs and assigns, to the use of her Agnes and her heirs for ever of the chief lords of the fee by the due and wonted services. Warranty clause. Dated at Lydde on the 7th day of April, 28 Hen. VIII. *Seal wanting.*

1547, September 20.—Grant by William Edoll, of Rye, in the county of Sussex, yeoman, to William Whytehed, of Ivechurche, in the county of Kent, of his moiety of five parcels of land situate in the said parish of Ivechurche, to hold the same to the said William Whytehed, his heirs and assigns, to the use of the said William Whytehed, his heirs and assigns, of the chief lords of the fee by the due and wonted services for ever. Warranty clause. Dated on the 20th day of September, 1 Ed. VI. *Seal wanting.*

1548, September 20.—Grant by James Huglyn, of the parish of Yvycherch in Romenye Marshe, labourer, to William Whytehed, of Ivycherch, of his moiety of five parcels of land situate in the said parish of Ivycherch, to hold the same to him William Whytehed, his

heirs and assigns, to the use of the said William Whytehed, his heirs Sir
 and assigns, of the chief lords of the fee by the due and wonted ^{William}
 services for ever. Warranty clause. Dated on the 20th day of ^{Clayton,}
 September, 2 Ed. VI. *Seal wanting.* ^{Bart.} —

J. M. RIGG.



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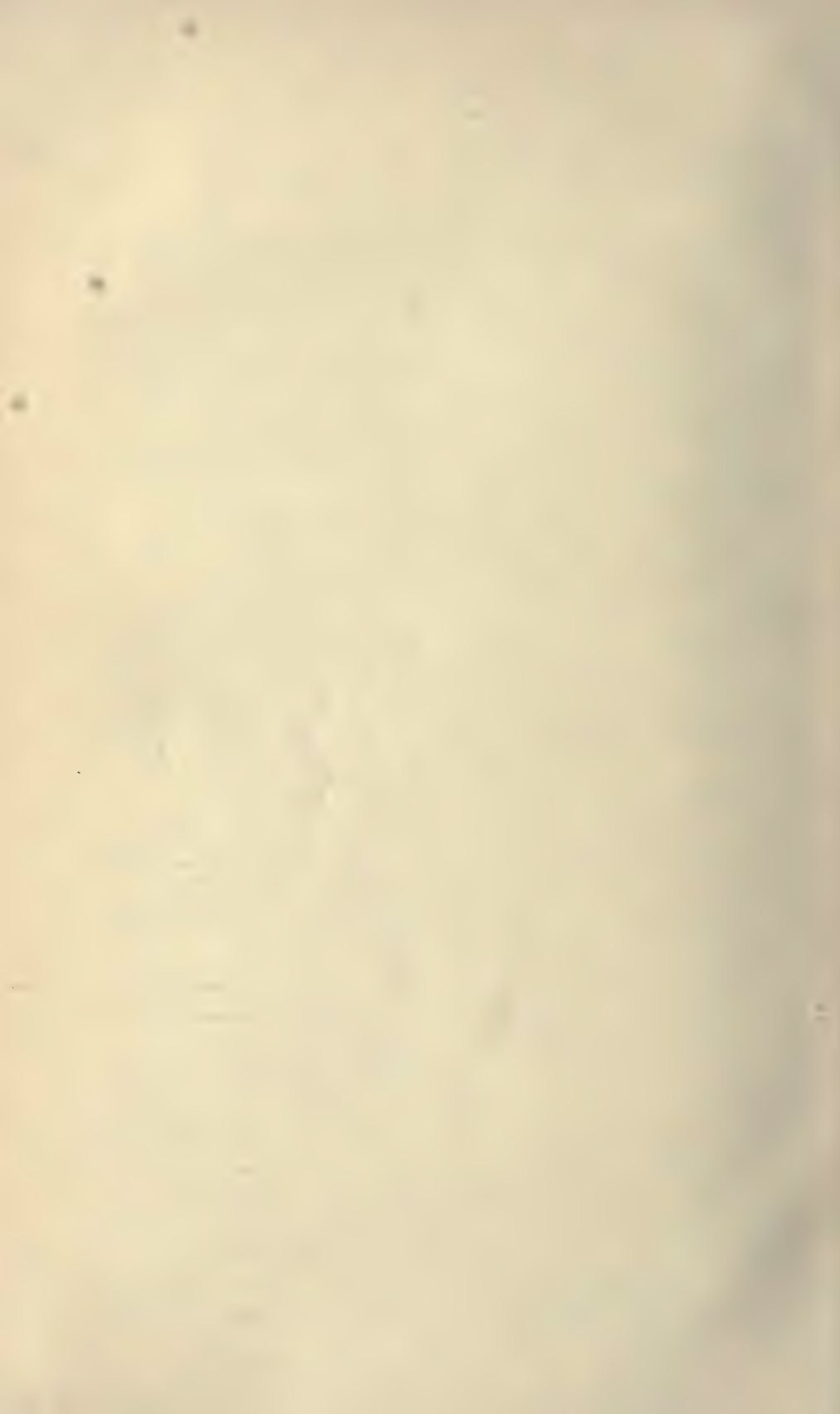
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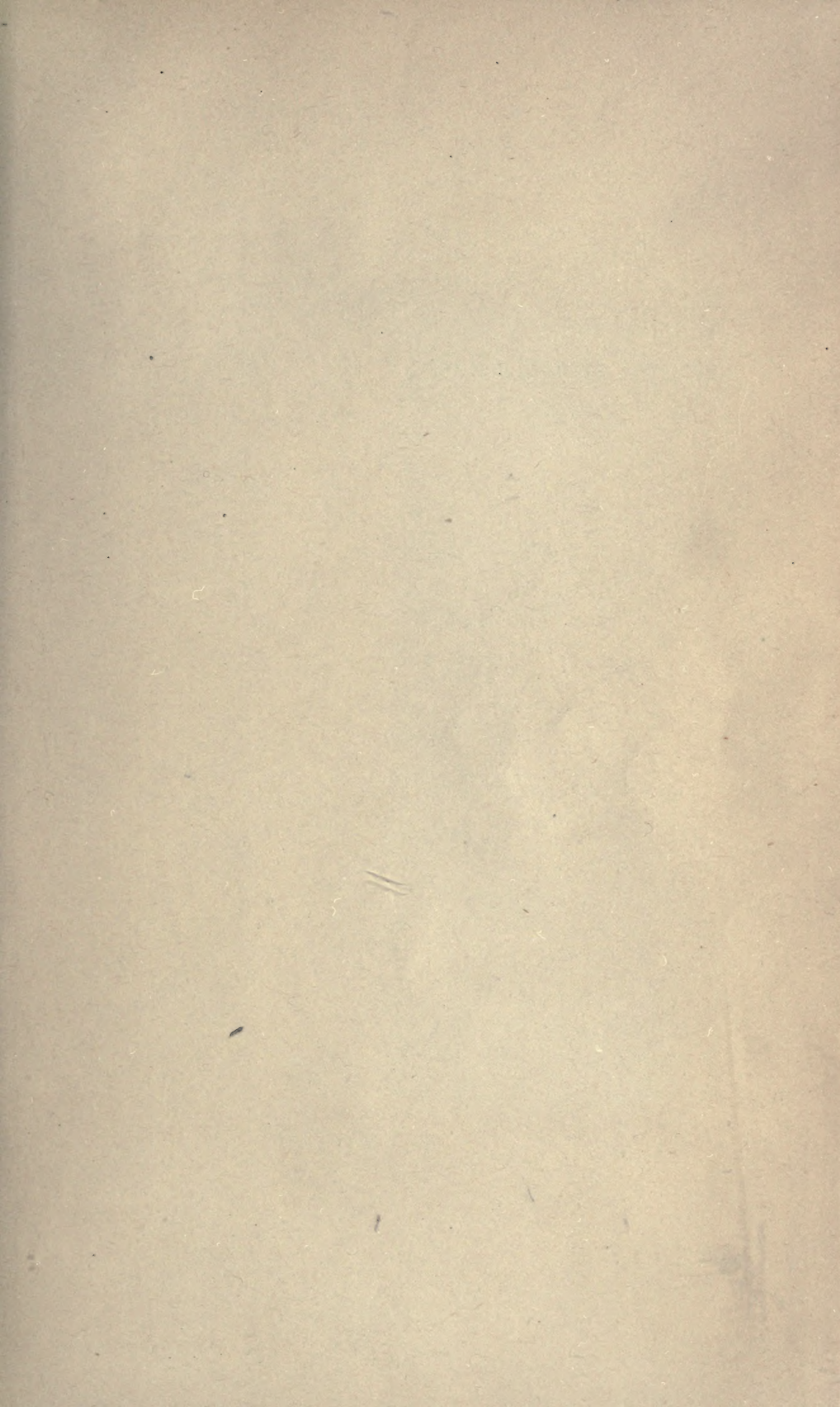
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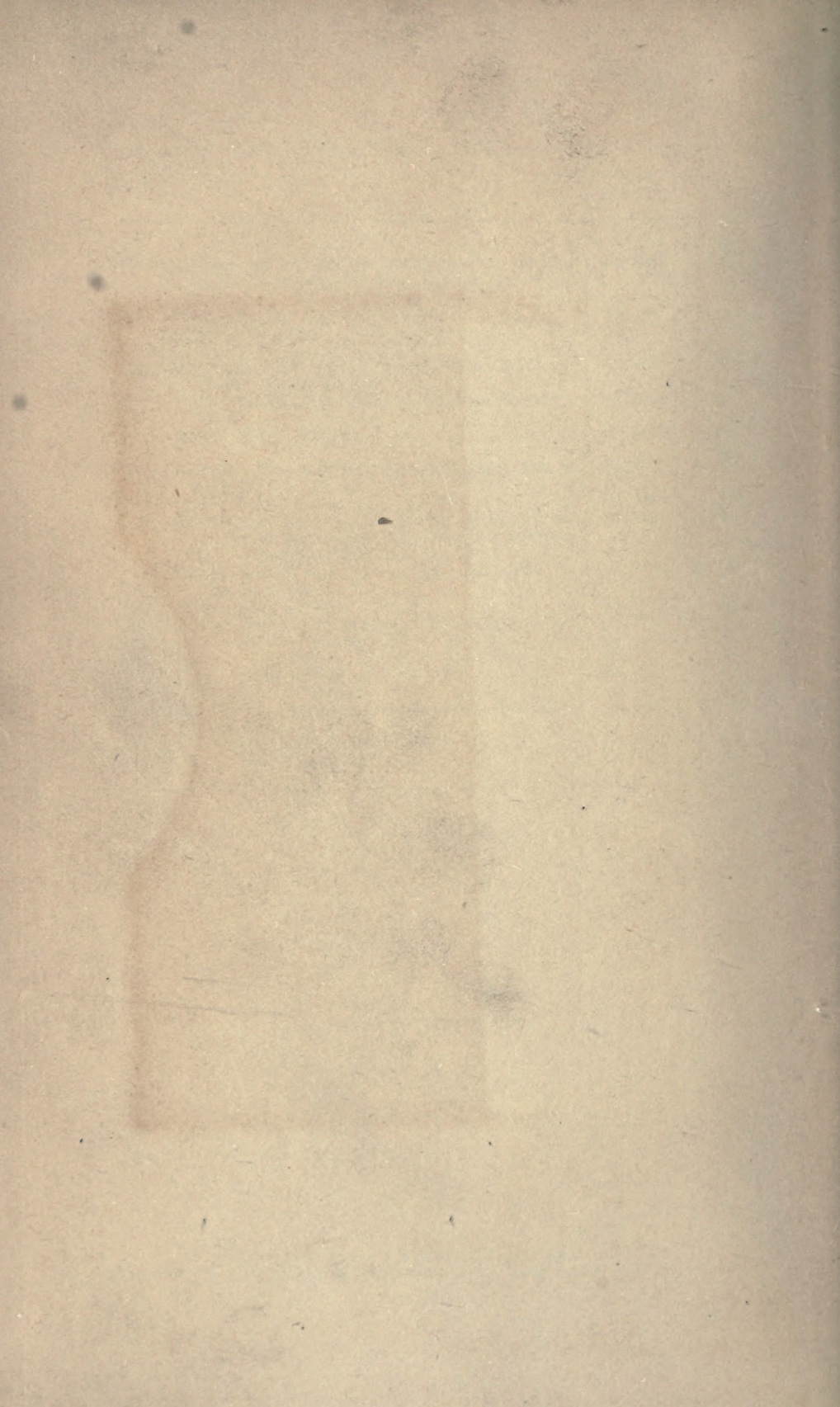
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